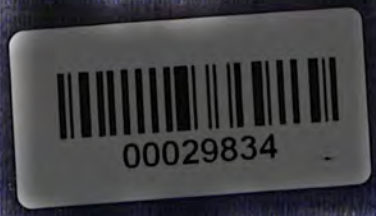
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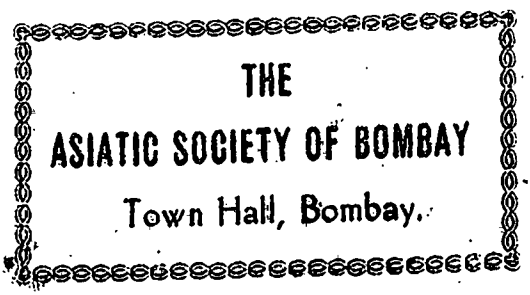


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THE

# JUDGES OF ENGLAND;

WITH

## SKETCHES OF THEIR LIVES,

AND

MISCELLANEOUS NOTICES

CONNECTED WITH

## THE COURTS AT WESTMINSTER,

FROM THE TIME OF THE CONQUEST.

BY EDWARD FOSS, F.S.A.

OF THE INNER TEMPLE.

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VOL. III.

CONTAINING THE REIGNS OF

EDWARD I., EDWARD II., AND EDWARD III.

1272—1377.

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LONDON:
LONGMAN, BROWN, GREEN, AND LONGMANS.
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OF

# THE THIRD VOLUME.


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# INTRODUCTION.

WHILE these pages have been passing through the press, I have had to join in lamenting the loss of the esteemed nobleman who permitted this work to be dedicated to him. By the death of Lord Langdale I have been deprived of the warmest encourager of my literary enterprise, of the ablest assistant in my laborious investigations,—of one who was the first to dispel the diffidence of success which I unaffectedly felt, and was ever ready to procure for me the materials by which that success might be ensured,—of one whose cordiality and kindness made it a pleasure to apply to him in cases of difficulty; while the readiness with which he cast aside the dignity of his position gave an additional value to his communications. I cannot expect again to meet with a patron for whom I can feel so much affection, mingled with respect, nor in whom I can hope to find the will joined with so much power to serve me. To the public his Lordship's loss will not be easily supplied. Independently of the performance of his judicial duties, of which this is not the place to speak, no man was so peculiarly fitted for the great undertaking which has made such advances during the period of his official career. His knowledge of the subject and appreciation of its importance,

his discriminating judgment and patient perseverance, his inflexible conscientiousness and systematic habits, were the precise qualities that were required to subdue the confusion which had gradually crept among our PUBLIC RECORDS. By the application of these, and by the judicious selection of able instruments, he has subjected the chaotic mass to an arrangement, which even now, in its unfinished state, affords facilities to the statesman, the historian, and the biographer, which they never before enjoyed; and which, when completed, will place our country's muniments in the very highest rank of national collections. For carrying out that completion we look with hope and with confidence to his Lordship's learned successor.

In the two new volumes which I now issue to the world, I have added 473 to my former list of 580 judges; making an aggregate of 1053 lives. In preparing these memoirs, I have stated nothing for which I had not adequate authority; and, without expecting or attempting to give to each life the same degree of interest, my anxiety has been to invest all with that trustworthiness, that their details might be referred to with confidence. In the compilation of the earlier sketches I have derived my principal facts from the publications of the Record Commission, for the grant of which I am indebted to the liberality of Government. As I advanced in my work, the materials became more abundant, and I was aided by many friendly communications, which I have, I hope without exception, invariably acknowledged as I used them. In some of the accounts of the chief justices I have ventured to differ from Lord Campbell; and that which he has given of Sir Thomas Billing I have felt myself compelled to discuss at some length, from a conviction that what little we know of that judge will not justify the disreputable character which his Lordship has attached to his name.

In the SURVEYS of the reigns I have pursued my original plan of describing every thing that was remarkable connected with the law; and among other interesting subjects I have endeavoured to trace the successive institution of the several Inns of Court and Chancery, and also of the three different Inns occupied by the judges and the serjeants. From the rulers of some of them I have received the most cordial assistance; and if all of them have not been equally forward, I can readily make allowance for legal caution, even when it is exercised where no danger is to be apprehended.

I should be ungrateful were I not to acknowledge the kind and flattering reception which has been accorded to my two former volumes by those who report on the literature of the day. Making a generous allowance for the difficulties which surrounded me, they have given me far greater credit than I expected for my performance; and their valuable encouragement has removed any doubt I might have felt of pursuing my undertaking, and has induced me unhesitatingly to keep my promise of persevering to the end. The two volumes I now offer may satisfy those, who were afraid of the work expanding to too great a length, of the groundlessness of their calculations. They, like the first two volumes, extend over more than ~~200 years~~, so that, seeing that something more than a century occupies each volume, the remaining period will not fill more than three, or at most four, in addition to the present.

My next volumes will embrace a period so far advanced that many of the families of the judges who lived in it are still flourishing. From the representatives of several of these I have received, and from others have been promised, the most liberal assistance: and as I have now given proof of my perseverance, I trust that all of those who bear a judge's name, or pride themselves in being connected with a judge's

family, will honour my pages by allowing me to record what they know of their ancestors' career. Let them not refrain from an apprehension that they have but little to communicate. The minutest fact often becomes important in an enquiry, and sometimes supplies the very link in the chain of circumstances that is wanting to complete the history. I shall highly appreciate the information they may forward to me, and faithfully and gratefully acknowledge the source from which I derive it.

Street-End House, near Canterbury,
June, 1851.

THE

# JUDGES OF ENGLAND.

## EDWARD I.

Reigned 34 years, 7 months, and 17 days; from November 20, 1272, to July 7, 1307.

### SURVEY OF THE REIGN.

By the undoubted adoption in this reign of the improved system founded on the charters of John and Henry III., with the complete establishment of a separate court for the trial of common pleas, distinct from those devoted to the hearing of pleas of the crown and matters relating to the revenue, and by the extensive judicial improvements introduced by King Edward, a new era in the administration of the law may be said to have commenced. Before we enter upon the arrangements consequent upon this alteration, it may not be uninteresting to take a slight retrospect of the judges who flourished in the eight previous reigns.

| | |
|---|---|
| The number of those of whom biographical sketches have been given amounts to | 580 |
| But to these must be added a few whose names are included in the previous volumes, and are repeated in this, their memoirs not appearing till the termination of their career | 25 |
| Making the total number during the first eight reigns | 605 |

Dividing these into the Chancellors, and others connected with the Chancery, the Chief Justiciaries, Justiciaries,

Justices Itinerant, and Barons of the Exchequer on the new system, the following will be nearly the appropriation for each reign; premising that some of these acted in two or three reigns, and are only counted in one, and that where any filled more than one character, they are introduced into the highest of these divisions.

| Kings. | Reigned Y. | M. | D. | Chancery. | Chief Justiciaries. | Justiciaries. | Barons Exchequer. | Justices Itinerant. | Total. |
|---|---|---|---|---|---|---|---|---|---|
| William I. | 20 | 8 | 15 | 7 | 7 | — | — | — | 14 |
| William II. | 12 | 10 | 7 | 3 | 1 | — | — | — | 4 |
| Henry I. | 35 | 3 | 27 | 8 | 6 | — | — | 7 | 21 |
| Stephen | 18 | 10 | 0 | 5 | 2 | — | — | — | 7 |
| Henry II. | 34 | 6 | 18 | 6 | 5 | 48 | — | 63 | 122 |
| Richard I. | 9 | 7 | 3 | 7 | 5 | 36 | — | 31 | 79 |
| John | 17 | 4 | 23 | 10 | 1 | 22 | — | 26 | 59 |
| Henry III. | 56 | 0 | 19 | 19 | 5 | 100 | 24 | 151 | 299 |
| | | | | 65 | 32 | 206 | 24 | 278 | 605 |

Total period, including the days between the reigns, 205 years, 10 months, and 22 days.

Of the sixty-five individuals connected with the chancery, thirty-five were undoubtedly chancellors or keepers; all of whom are clearly shewn to have been ecclesiastics, except Roger Pauper and Philip, in the reign of Stephen, whose profession is not mentioned, but who were probably of the same order: twelve are altogether doubtful; and the remaining eighteen consist of those who have been called keepers, but who were apparently only clerks of the chancery, or other officers of the court, performing the duties during the occasional absence of the chancellor, or attached to the treasury or wardrobe, where the seal was usually deposited for greater security.

The thirty-two names mentioned as chief justiciaries may be divided into twelve clerical; seventeen baronial, of whom five, in the reign of Henry I., ought, perhaps, to be excluded; and three legal, viz., Ranulph de Glanville, Geoffrey Fitz-Peter, and Stephen de Segrave.

The two hundred and six justiciaries are more difficult to divide with any degree of certainty between the official and baronial, and the strictly legal. The first class, comprehending all who acted as barons of the realm, or as officers of the household, I estimate at eighty-one, considering the remaining one hundred and twenty-five to have pursued the law as a profession, and to have been ultimately raised to the bench. In the first four reigns no justiciers of the principal court, except the chief justiciary, are named; but, as before suggested, perhaps the five doubtful chief justiciaries of the reign of Henry I. ought to be removed into this class, as they were all of the baronial order, to which probably the administration of justice in the Curia Regis was then almost wholly confined. Under Henry II. a great alteration, as we have seen, was made; and out of forty-eight new justiciers, eighteen may be selected as probably brought up as lawyers, the remaining thirty sitting in court either as barons, or in right of their offices. Under Richard I. there were thirty-six, viz., twenty-four baronial and official, and twelve legal; and in John, sixteen of the twenty-two were of the former, and six of the latter class. But in the reign of Henry III., during which the office of chief justiciary was abolished, and legal proceedings were placed on a more systematic footing, the proportions were reversed; for out of one hundred justiciers, I can find only eleven who may not be supposed to have previously practised in some manner in the court.

Although the term Baron of the Exchequer was used as early as the reign of Henry I., it was then applied solely to the barons of the realm, who also performed the functions of justiciers. It was not till the eighteenth year of Henry III. that this title was given to private individuals selected for the performance of the duties of that department. From that time till the end of the reign, twenty-four are named.

The first justices itinerant occur in the reign of Henry I.; from which period till the close of that of Henry III., their number amounts to 278, in addition to the ordinary justiciers, who shared in the same duties. They comprehended every grade of the clergy; and earls, barons, knights, sheriffs, coroners, and landholders among the laity.

The name of Edward I. is the most celebrated among the English monarchs, for the improvements in the administration of justice introduced in his reign. The various statutes enacted by him touch almost every subject of litigation between party and party, and regulate the forms of proceeding in so stable and efficient a manner, that ages passed without the necessity of any substantial alteration in them, and the foundations on which they were established are in many instances still unshaken. He well deserves the title of the ENGLISH JUSTINIAN, with which he has been distinguished; and his merit must not be diminished by the suggestion that the system was arranged by other heads, and accomplished by other hands, since, however able or willing his ministers might be, their learning or their zeal would have been insufficient without their sovereign's approval. They were prompted and encouraged by the royal suggestion: the paternal desire of benefiting his people, even to the limitation of his own prerogative, principally influenced the monarch's mind, with some addition, no doubt, of a natural wish to check and control the nobles; his discrimination selected the officers most competent to the task; and his judgment was capable of appreciating what their labours accomplished. Bishop Burnel, however, during whose chancellorship the most important amendments were introduced, must share in the commendation; and all of his successors in that office, with several of the leading judges, seem, from the enactments of the remainder of the reign, to have been fully competent to further and to perfect their sovereign's efforts.

King Edward was in the Holy Land at the time of his father's death; when the great seal, as we have seen, was delivered up to the council. The Archbishop of York and the Earls of Cornwall and Gloucester were appointed guardians of the realm, and the office of chancellor was given to

WALTER DE MERTON, who had served the late king in the same capacity. No entry of his appointment exists; but his attestation as chancellor appears to a record on the Close Roll, dated November 29, 1272, nine days after King Henry's decease.[1] At the parliament called in the following January, he was confirmed in the office, "et ut moram trahat ad Westmonasterium tanquam in loco publico usque adventum principis injunctum est eidem."[2] He resigned soon after the king's return to England, in 1274, and was made Bishop of Rochester.

ROBERT BURNEL, then Archdeacon of York, but soon after Bishop of Bath and Wells, was appointed Merton's successor on September 21, 1274[3]; and held the seal till his death, on October 25, 1292[4], a period of more than eighteen years.

The Rolls record with great particularity the occasional absences of the chancellor, and how the great seal was disposed of till his return. Burnel seems to have exercised the privilege of appointing a substitute on these occasions without any interference on the part of the king.

On February 11, 1278, Burnel went into foreign parts and placed the seal in the wardrobe, under the seal of JOHN DE KIRKEBY, "whom," the record adds, "the *chancellor* enjoined to expedite the business during his recess;"[5] which he continued to do till Bishop Burnel's return on June 19, 1279.

[1] Hardy's Catalogue.
[2] Angl. Sac. i. 499.
[3] Rot. Claus. 2 Edw. I., m. 1.
[4] Ibid. 20 Edw. I., m. 2.
[5] Rot. Lib. 6 Edw. I., m. 2.

During this interval, Mr. Hardy has introduced the name of THOMAS BEK into his catalogue of keepers, because, when John de Kirkeby was summoned on May 6, 1279, to attend the king, he was directed to leave the seal, *sealed up with his own seal,* in the custody of Thomas Bek; and on the 25th, both of them were ordered to carry the seal to Dover, to await the king's messenger. This seems scarcely sufficient to entitle him to the designation, as he was merely the deputy of a deputy. It appears by an order, cited in Madox and signed by Bek, that he was an officer attached to the courts[1]; either connected with the revenue, or perhaps another clerk of the Chancery. In little more than a year afterwards he was promoted to the treasurership and became Bishop of St. David's.

John de Kirkeby, it will be remembered, had been charged in the last reign with the care of the great seal on the death of Richard de Middelton, the chancellor, on August 7, 1272, and had retained it during the few remaining weeks of King Henry's life. It is evident that neither then, nor on the several occasions on which it was entrusted to him in the time of Chancellor Burnel, was he a keeper, as the word is understood at the present day, but merely an officer of the court, probably the senior clerk of the Chancery, naturally selected from his experience to perform the ministerial duties of the office. The last time he is noticed in that character is during the month of March, 1283, when the chancellor went "usque partes proprias."[2] Early in the next year he was appointed treasurer.

On Kirkeby's retirement, the same duties were performed by HUGH DE KENDAL and WALTER DE ODYHAM, who on July 25, 1284, 12 Edward I., when the chancellor retired for the summer to his seat at Acton Burnel, received the

[1] Madox's Exch. i. 662.

[2] Rot. Lib. 11 Edw. I., m. 8.

seal "*ab eo.*"[1] They perhaps also acted in the same character in the preceding year, as several letters addressed to them on the business of the Chancery, and dated 1283, are referred to in the Second Appendix to the Seventh Report of the Deputy Keeper of the Public Records (p. 240—258). Hugh de Kendal was certainly a clerk of the Chancery, and is so designated in a record of 14 Edward I.[2]; and Walter de Odyham, of whom nothing more is known, most likely was one of his brethren in the same department.

Bishop Burnel accompanied the king abroad on September 2, 1286, taking the seal with him, and remaining away till August 10, 1289.[3] The Rolls do not state what seal was used in England, nor who performed the duties of the Chancery during the king's absence; but among the letters above alluded to is one addressed to WILLIAM DE HAMILTON, by Edmund, Duke of Cornwall, with official directions, and another dated November 12, 1286, from the Archbishop of Canterbury, in which he is styled "the king's vice-chancellor" (p. 242, 251.) He therefore in all probability exercised the functions of the office till the chancellor's return.

WILLIAM DE MARCHIA is the only other person named as keeper during the time of Bishop Burnel; the ground stated being, that on the chancellor's going to his bishoprick on February 24, 1290, he delivered the seal to him at the king's wardrobe.[4] It has, however, already appeared that this was the usual place of its deposit; and William de Marchia was a clerk of that department. In the same year he was raised to the office of treasurer, and afterwards succeeded Robert Burnel in the bishoprick of Bath and Wells.

[1] Rot. Pat. 12 Edw. I., m. 7. [2] Madox's Exch. ii. 257.
[3] Rot. Claus. 14 Edw. I., m. 4; 17 Edw. I., m. 5.
[4] Ibid. 18 Edw. I., m. 14.

On the bishop's death, on October 25, 1292, the seal was delivered into the wardrobe to WALTER DE LANGTON, under the seal of WILLIAM DE HAMILTON; the former being merely keeper of the wardrobe, and the latter acting in his previous capacity, as the record adds, that he "thereupon sealed writs from that day till the following Wednesday, when he accompanied the late chancellor's remains to Wells."[1] On his return from that solemnity, it is to be presumed, in the absence of any record, that he continued to exercise the functions of the office for the seven or eight weeks that intervened before the appointment of the new chancellor,

JOHN DE LANGTON, to whom the seal was delivered on December 17, 1292, 20 Edward I.[2] During the ten years that he held it, the entries are as explanatory as in the last chancellorship of the arrangements made with regard to the great seal when he was absent from the court.

On the chancellor's visit to his prebend of Aulton near Cerne, between March 4 and 30, 1297, the seal was again left in the keeping of William de Hamilton.[3]

The king went to Flanders on August 22 in the same year, taking with him the great seal, which, on the chancellor delivering it to him at Winchelsea in a certain ship, "quæ vocatur Cog Edward," was placed by the king in the hands of JOHN DE BENSTEDE, his clerk or secretary, who accompanied him; and on the 27th, Prince Edward, who acted as regent during his father's absence, gave to the chancellor another seal, which was accustomed to be used when the king was abroad.[4] This latter seal the chancellor restored to the king "at his bedside" on his return, March 14, 1298, and received back the great seal.[5]

[1] Rot. Claus. 20 Edw. I., m. 2.
[2] Ibid. 21 Edw. I., m. 10.
[3] Ibid. 25 Edw. I., m. 21.
[4] Ibid. m. 7.
[5] Ibid. 26 Edw. I., m. 14.

The next day (March 15), the chancellor going from court, left the great seal, sealed up with his own seal, in the custody of JOHN DE CRAUCOMBE, Master JOHN DE CADOMO (CAEN), and WILLIAM DE BIRLACO (BYRLAY) until he returned to court. The seal was in the possession of these three at the latter end of the year, while the chancellor went to advise with the Archbishop of Canterbury relative to his election to the bishoprick of Ely; and there is an entry shewing that John de Caen came into the Exchequer on October 3, as *locum tenens* of the chancellor.[1] On December 28, all the three deposited the seal in the king's wardrobe with Walter de Langton, Bishop of Lichfield and Coventry, the treasurer, by whom it was immediately delivered to JOHN DE DROKENESFORD, the keeper of the wardrobe, to be carried to the chancellor, who received it from him in London on the 10th of the following January.[2] As it is not likely that the chancellor was absent for so long a time as nine months, and as the see of Ely was not vacant at the first of these dates, an entry of the return of the seal to the chancellor after March 15, and another of its second delivery to these officers, are probably omitted.

On February 14, in the following year, 1299, the chancellor went to Rome to urge his claims to the bishoprick on the Pope; on which occasion he delivered the seal to John de Benstede in the wardrobe, and on the 20th, William de Hamilton received it, and sealed writs with it until the return of the chancellor on June 16, when it was delivered back to him.[3]

After the final resignation of the seal by John de Langton, which took place on August 12, 1302, 30 Edward I., the office of chancellor was vacant for about seven weeks;

[1] Madox's Exch. i. 421.
[2] Rot. Claus. 27 Edw. I., m. 18.
[3] Ibid. m. 11.

during which the seal was in the first instance deposited with John de Drokenesford in the wardrobe[1]; but on the 23rd, it was delivered to ADAM DE OSGODBY, the Master or Keeper of the Rolls, to be kept under the seals of three persons, viz., the before mentioned Caen and Byrlay, and ROBERT DE BALDELBY, and it was to be so held until the king should provide himself with a chancellor.[2] This is the first time that a Keeper of the Rolls was, *eo nomine*, appointed to act in that capacity.

On September 30, 1302, 30 Edward I., WILLIAM DE GREENFIELD, Dean of Chichester, was appointed chancellor[3], and he held the seal till December 29, 1304, 33 Edward I., when, in consequence of his election to the archbishoprick of York, he resigned his office, and proceeded to Rome to obtain his consecration.[4]

During his time only one absence is recorded, viz., from October 30 till December 11, 1302, when he was employed on an embassy. The seal was then placed in the custody of Adam de Osgodby, to be kept under the seals of his three former associates.[5]

WILLIAM DE HAMILTON, Dean of York, was constituted chancellor immediately on the resignation of William de Greenfield; and held the seal from December 29, 1304, till his death on April 20, 1307, 35 Edward I., being the second chancellor in this reign who died while invested with the office.

On the next day, April 21, 1307, the treasurer and barons of the Exchequer were ordered by writ of privy seal dated at Carlisle, to deliver the great seal to RALPH DE BALDOCK, Bishop of London; who thereupon took the accustomed oath of chancellor before them.[6]

[1] Rot. Claus. 30 Edw. I., m. 8.
[2] Ibid. m. 6.
[3] Ibid. m. 5.
[4] Ibid. 33 Edw. I., m. 22.
[5] Ibid. 31 Edw. I., m. 18.
[6] Pasch. Commun. 35 Edw. I.; Rot. 46. a. p. 1.

The king died on July 7, in the same year, at Burgh on the Sands; and the chancellor being then in London, in ignorance of the event, continued to seal writs of course till July 25; and on the Saturday following, sent the seal to the new king at Carlisle.[1]

I have been the more particular in recording the names of the various persons with whom the great seal was deposited during this occasional absence of the chancellors of this reign, because Mr. Hardy, in his catalogue, has designated them all as keepers of the great seal. It is apparent, however, that some of them were merely keepers or other officers of the wardrobe, the usual place of deposit of the seal, which they received solely in that capacity, without any power to use it in any way. The others were clerks in the Chancery, who, being officially acquainted with the ordinary business of the seal, were on most of these occasions entrusted with the performance of the ministerial duties of the office, sometimes by the chancellor and sometimes by the king; but in no instance as an independent keeper, except during the two short intervals between the death or retirement of the old chancellor and the institution of a new one, in neither instance amounting to two months.

Those standing in the former character were William de Marchia, Walter de Langton, John de Benstede, and John de Drokenesford: those in the latter were John de Kirkeby, Thomas Bek, Hugh de Kendal, Walter de Odyham, William de Hamilton (before he was chancellor), John de Craucombe, John de Caen, William de Byrlay, Robert de Bardelby, and Adam de Osgodby; the last of whom, under the title of keeper of the Rolls, being the head of the clerks of the Chancery. I have therefore omitted them all in the table of chancellors.

[1] Rot. Fin. 35 Edw. I., m. 1.

Although the Rolls of Chancery must, long ere this time, have been both numerous and important, and though their arrangement and preservation must have devolved on some officer of that department, yet the name of the individual specially appointed to the service never occurs till this reign. The title of "Custos Rotulorum Cancellariæ domini Regis" is attached, for the first time, to the name of JOHN DE LANGTON, in an entry on the Patent Roll of 14 Edward I., 1286, cited by Mr. Hardy[1]; and he is mentioned in the parliament of Hilary and Easter, 18 Edward I., as receiving the letters sent to Rome by the king and the nobles to be enrolled in the Chancery.[2]

It is evident, however, that he was not the first person who held that place; as in the appointment of ADAM DE OSGODBY on October 1, 1295, 23 Edward I., the custody of the Rolls was given to him in the same manner "quo alii custodes eam habere consueverunt temporibus retroactis." As these words could scarcely apply to appointments so recent as that of Langton, or of any other who might have held it between his elevation to the chancellorship in December, 1292, and Osgodby's nomination, we are left to suppose that the office, the duties of which had been probably performed by one of the clerks of the Chancery, had not heretofore been considered of sufficient importance to be recorded on the Rolls; and that either the extent of the responsibility, or the addition of other duties arising from the division of the courts, rendered it now of so much greater consequence as to be placed in the king's nomination.

The terms of the appointment are: "Memorandum quod primo die Octobris anno regni Regis Edvardi vicessimo tertio in ecclesia conventuali Sancti Augustini Cantuar. commissa fuit custodia Rotulorum Cancellar. Domino Adæ de

[1] Hardy's Catalogue, p. 13. [2] Rot. Parl. i. 25.

Osgoteby per Dominum Johannem de Langton Canc. Domini Regis *ex parte dicti Dom. Regis,* Ita quod custodiam illam eodem modo habeat quo alii custodes eam habere consueverunt temporibus retroactis."

Adam de Osgodby continued to hold the office during the remainder of this reign. That he still was considered as one of the clerks of the Chancery is apparent from many entries of the deposit of the great seal in the custody of himself and others of his brethren, in the various absences of the chancellor from the court.

He was not necessarily the chancellor's substitute on these occasions; for during the seven years that the then chancellor, John de Langton, continued in the office after Osgodby's appointment, the duties of the seal were performed, in his absence, by William de Hamilton alone, or by three other clerks of the Chancery jointly appointed. It was not till the vacancy occasioned by Langton's resignation in August, 1302, 30 Edward I., that the seal was placed in Osgodby's hands, under the seals of three other clerks, till a new chancellor was named.

There is nothing positively to shew the number of the senior clerks of the Chancery, (in whose place the masters of that court now stand,) unless the summons that was addressed to Robert de Pykering and to ten others in 30 Edward I.,[1] commanding them to appear before the chancellor to give counsel on certain arduous affairs, and, if needful, "by the inspection of their books," is to be considered as including them all, except Adam de Osgodby, the Master of the Rolls. Most of the persons so addressed were undoubtedly clerks in the Chancery; perhaps all of them: but if so, the number must have been greater than twelve, because there were several others who notoriously held that place both before

[1] Parl. Writs, i. 110.

and after that date. If the number of clerks, including the Master of the Rolls, did not exceed twelve, as is generally supposed, there must have been some other officers of the court who were equally entitled to attend the parliament, as the persons summoned apparently on this account frequently extend beyond that number.

We have seen that several of them acted for the chancellor, holding the seal when he was absent; and in addition to their attendance in parliament, several instances of their being appointed proxies for bishops and abbots occur in this reign, and of their being named as receivers and triers of petitions.

The following list contains the names of those who are known or supposed to have held the office within the periods mentioned:—

| | | |
|---|---|---|
| John de Kirkeby | 1 to 12 | Edw. I. |
| ? Thomas Bek | 7 | — |
| Hugh de Kendal | 11 to 19 | — |
| Walter de Odyham | 11–12 | — |
| William de Hamilton (afterwards chancellor) | 14 to 33 | — |
| John de Langton, M. R. | 14 to 21 | — |
| William de Chyrinton | 21 | — |
| John de Cadomo | 21 to 35 | — |
| Robert de Radeswell | 23 to 35 | — |
| John de Derby | 23 to 29 | — |
| John de Craucombe | 23 to 33 | — |
| Adam de Osgodby, M. R. | 23 to 35 | — |
| William de Grenefield (afterwards chancellor) | 23 to 30 | — |
| William de Kilkenny | 23 to 33 | — |
| Peter de Dene | 23 to 35 | — |
| Reginald de Braundon | 23 to 33 | — |
| John de Lacy | 23 to 29 | — |
| Thomas de Logore | 25 to 35 | — |
| William de Birlaco | 26 to 33 | — |
| Peter de Insula | 28 to 33 | — |
| Robert de Pykering | 29 to 35 | — |
| William de Pykering | 29 to 35 | — |
| William de Sardenne | 29–30 | — |

| | | | | | |
|---|---|---|---|---|---|
| Philip Martel | - | - | - | - | 29 to 33 Edw. I. |
| Richard de Plumstok | - | - | - | - | 29 to 35 — |
| Robert de Bardelby | - | - | - | - | 30 to 35 — |
| John Bussh | - | - | - | - | 30 to 35 — |
| John Fraunceis | - | - | - | - | 35 — |
| Geoffrey de Welleford | - | - | - | - | 35 — |

All of these were ecclesiastics, and most held dignities in the church.

It will be remembered that by the law of Edward the Confessor, confirmed by William the Conqueror, certain sacred periods were devoted to the church, during which no judicial business was to be transacted. In the first parliament held by Edward I., in the third year of his reign, 1275, in the statute of Westminster 1, chap. 51., it is provided, "at the special request of the king made unto the bishops," and by their assent, that during three of these periods, viz., Advent, Septuagesima, and Lent, assizes of Novel Disseisin, Mortdauncestre and Darrein Presentment, may be taken "even as well as Enquests." The reason for this change in the old law is stated to be, that "it is a great charity to do right unto all men at all times;" but it is evident that with regard to "Enquests" an encroachment had already taken place.

It is curious that, notwithstanding this statute, Thomas de Weyland, in the following year, deemed it necessary to procure a licence from the Bishop of Norwich to try an assize of last presentation to a church, *non obstante instanti Quadragesima.*[1] This, however, may have been procured only *ex abundante cautela,* or, perhaps, because ecclesiastical matters were connected with the trial.

The court of Common Pleas was always held, according to the provision of Magna Charta, "in aliquo certo loco," which in this reign was at Westminster. But the courts of

[1] Spelman's Original of the Terms, Appendix, p. 104.

King's Bench and Exchequer were frequently removed, according to the urgency of the time, to different localities; and the Abbreviatio Placitorum mentions several places where the judges of the King's Bench occasionally sat.

In 5 & 10 Edward I., 1277–1282, the King's Bench and the Exchequer were removed to Shrewsbury, when the king unfurled the royal banner against the Welsh.[1] For seven years, from 26 to 33 Edward I., 1298–1305, they sat at York[2]; during which period, by the statute Articuli super Cartas, 28 Edward I., it was enacted, "that the chancellor and the justices of *his* bench should follow the king, so that he might have at all times near unto him some sages of the law, who might be able to order all such matters as should come into the court at all times when need should require."

The term "Justiciarius de Banco," continued occasionally, during Edward's reign, to be applied to the judges of both courts. A repetition of the enactment made by Henry III. relative to leap year, and mentioned in Vol. II. p. 183, occurs in the sixth year of this reign, addressed, in the same manner, to the judges by this title.[3] The word "Bench" also is often indiscriminately used; the ordinance for the removal of the King's Bench to York in 26 Edward I. describing it as "Bancus," without any addition.[4] The court of Common Pleas is designated in one instance, in 10 Edward I., "Magnum Bancum."[5]

Although the office of chief justiciary had been entirely abolished under Henry III., and the three courts of King's Bench, Common Pleas, and Exchequer, had been formed out of the Curia Regis before the end of that reign, it is probable that the precise duties of each had not been fully defined, and that the appropriation of the judges of the two

[1] Lingard, iii. 193.; Lel. Coll. i. 459. [2] Ibid. 460.; Lingard, iii. 240.
[3] Rot. Parl. i. 14. [4] Ibid. 143. [5] Abbrev. Plac. 274.

former benches had not been strictly established. Even under the reign of Edward I. it is not possible in all cases to distinguish to which court the different judges belong; and I have accordingly found it necessary, in some instances, to affix the mark ? as denoting a doubt.

Of the justiciers under Henry III. nineteen were alive at the end of the reign; six of whom, as far as I can discover from the published records, did not resume their functions in that of Edward I. These were

Robert de Brus, chief justice of the king's bench,
Laurence de Brok, Thomas Trevet,
Adam de Greinvill, Henry de Wollavinton.
John de Oketon,

The rest certainly acted in this reign; and I have placed them, except Geoffrey de Leuknore, who does not appear to have been appointed till some years after the accession, in the first year in the courts to which they seem to belong; because, though some of them are not mentioned judicially till the second or third years, there is a sufficient probability that they were not removed at the death of Henry III.

In pursuing the enquiry in each court the most convenient course will be to trace the succession of the chief justices in the first instance.

## Chief Justices of the King's Bench.

Robert de Brus, who filled the office of chief justice of the King's Bench at the close of the last reign, does not appear, from any existing evidence, to have acted at all in this. I have, therefore, not felt myself warranted in inserting his name, although the absence of it leaves the place vacant during the whole of the first and part of the second year of Edward's reign; since it is not till the concluding month of the latter year that the name of

RALPH DE HENGHAM is first introduced. He is then mentioned in such a manner as to shew plainly that he occupied the highest place in the court, though he is not expressly called chief justice. The words are, "Placita coram Domino Rege et R. de Hengham *et sociis suis*, justiciis de Banco Domini Regis in Octabis S. Michaelis anno regni, &c. secundo incipiente tercio apud Westm."[1] That he was not appointed in the first year, but was then a justice of the Common Pleas, appears from the fact that fines were levied before him till fifteen days of St. Martin in the second year, viz. November 26, 1273[2]; so that his nomination must have occurred between that date and the following October. He continued to preside in the court till 18 Edward I., when, sharing in the disgrace with which several of his brethren were visited, he was removed from his office and fined.

GILBERT DE THORNTON succeeded Hengham, and a curious confirmation of the view I have taken of the use of the title "Justiciarius de Banco" in those days, is afforded by that designation being applied to him[3], although he never filled any judicial office but that of chief justice of the King's Bench. If, as Dugdale alleges, he had previously acted as the king's attorney, and there are several instances of his being employed in the courts for the king, as late as 13 Edward I., his appointment forms the first example of that officer being raised to the highest place on the bench, though it may be doubtful whether he was the king's attorney at the time of his elevation. This occurred in 18 Edward I., 1289–90, and the last date on which his pleas are mentioned is August, 1295.[4]

ROGER DE BRABAZON, who was a justice of the King's Bench at this time, was his successor; but there is no evidence of the precise date of his appointment. As, how-

[1] Abbrev. Placit. 263.
[2] Dugdale's Orig. Jurid. 44.
[3] Abbrev. Placit. 286.
[4] Rot. Parl. i. 134.

ever, he is mentioned in this character in Hilary Term, 25 Edward I., 1297[1], he was probably constituted in the previous year, and he continued in the office during the remainder of the reign.

## Judges of the King's Bench.

The surviving judges of this Court, under Henry III., were —

I. 1272–3. John de Cobbeham, ? John de Reygate,
Walter de Helyun, ? Richard de Stanes.
Martin de Littlebiri,

Those subsequently appointed were the following: —

William de Saham, Nicholas de Stapleton.

III. 1274–5. Walter de Hopton, vice R. de Stanes, removed to the Common Pleas.

IV. 1275–6. John de Metingham, in the room perhaps of J. de Cobbeham, removed to the Exchequer.
Walter de Wymburn, loco ? M. de Littlebiri.

XI. 1282–3. Dugdale inserts ? John de Cave in this year; but I can find no other evidence of his acting as a justice.

XIII. 1284–5. Elias de Sutton.

XVII. 1288–9. ? Ralph de Sandwich; but probably only acting as constable of the tower.

XVIII. 1289–90. Roger de Brabazon, loco John de Metingham, made chief justice of the Common Pleas.
Robert Malet, loco William de Saham, disgraced.

XXII. 1293–4. John Lovel, perhaps in the place of Nicholas de Stapleton.

XXIII. 1294–5. Gilbert de Roubury, loco John Lovel.

XXIV. 1295–6. William de Ormesby, loco Roger de Brabazon, made chief justice of this court.

XXIX. 1300–1. Henry Spigurnell.

No change took place in this court for the remaining ten years of this reign. The number of its judges, leaving out those who are doubtful, seems to have been generally four, but for the latter years only three, besides the chief: and at the death of the king they were, —

Roger de Brabazon, chief justice,
Gilbert de Roubury, William de Ormesby
Henry Spigurnell.

[1] Abbrev. Placit. 292.

## CHIEF JUSTICES OF THE COMMON PLEAS.

GILBERT DE PRESTON, who filled this office at the end of Henry's reign, was continued in it by his successor, and the Liberate Roll of the first year so designates him, being the first instance, as Dugdale declares, of the title being used. The last fine that was levied before him was in the Octaves of St. John the Baptist, 2 Edward I., June, 1274.[1]

ROGER DE SEYTON was put in his place in the following Michaelmas, having occupied a seat on the same bench from April, 1268, 52 Henry III.[2] He continued to preside till after the Octaves of Trinity, 6 Edward I., 1278, the last fine levied before him bearing that date.

THOMAS DE WEYLAND was his successor in the same year, having been also previously a judge in this court. His disgrace and removal occurred before Hilary Term, 18 Edward I., 1290, as he is called "nuper justiciarius" at the parliament then held.[3]

JOHN DE METINGHAM, at that time a judge of the King's Bench, was raised to the presidency of the court of Common Pleas in the same term. The last fine levied before him was in fifteen days of Michaelmas, 26 Edward I., 1297; but his name appears after that of Roger de Brabazon, the chief justice of the court of King's Bench, in the Statute de Escaetoribus, Hilary, 29 Edward I., 1301. He lived for a few months only after this, as his successor,

RALPH DE HENGHAM, the late chief justice of the King's Bench, now restored to favour, was appointed on the 19th of the following September. He retained his place during the remainder of the reign, and was continued in it by Edward II.

[1] Dugdale's Orig. Jurid. 39. 43.
[2] Excerpt. e Rot. Fin. ii. 469.
[3] Rot. Parl. i. 23.

## Judges of the Common Pleas.

Besides the chief justice, Gilbert de Preston, the following were the judges of the court of Common Pleas under Henry III., who acted in this reign.

I. 1272–3. Robert Fulcon, Henry de Monteforti,
Ralph de Hengham, Roger de Seyton,
Stephen Heym, William de Weyland.

The following were subsequently appointed:

II. 1273–4. Richard de Stanes, removed from K.B. } apparently in the room of Roger de Seyton, made chief justice of the Common Pleas,
Thomas de Weyland, } and of William de Weyland.

III. 1274–5. Ralph de Freningham, } in the room of Ralph de Hengham, constituted chief justice of the K.B., and Stephen Heym.
John de Lovetot, }

IV. 1275–6. Roger de Leicester, in the room of Richard de Stanes. Dugdale introduces three others for whom I cannot find a place; nor any other evidence of their sitting in court; viz. Geoffrey de Leuknore, Geoffrey de Newbi and Roger Loveday; and on a reference to the patent he quotes, I find that they were merely appointed to hold the pleas pertaining to the tenants of the liberty of the priory of Dunstable. I have therefore inserted them among the justices itinerant.

VI. 1277–8. William de Brompton, in the room of Thomas de Weyland, made chief justice of this court.
Walter de Helyun, in the place of Ralph de Freningham.

XII. 1283–4. ? Stephen de Pencestre is introduced by Dugdale; but I think only acted judicially as warden of the Cinque Ports.

XIII. 1284–5. Elias de Beckingham, loco Walter de Helyun.

XVIII. 1289–90. Robert de Hertford, } in the places of Roger de Leicester, John de Lovetot, and William de Brompton, disgraced.
Robert de Thorpe, }
William de Giselham, }

XIX. 1290–1. William de Bereford, loco Robert de Thorpe.

XX. 1291–2. Peter Mallore, loco William de Bereford.

XXII. 1293–4. William de Bereford, loco William de Giselham.
XXV. 1296–7. William Howard, loco Robert de Hertford.
XXVIII. 1299–1300. Lambert de Trikingham.
XXXIII. 1304–5. ? Henry de Guldeford, though introduced by Dugdale, is not otherwise noticed than as a justice itinerant.
XXXIV. 1306–7. Hervey de Staunton, loco Elias de Beckingham.

The number of judges of this court during this reign was sometimes six, often four, and for the last few years five, besides the chief; and those who sat in it at the death of the king were

Ralph de Hengham, chief justice,
Peter Mallore, William Howard,
William de Bereford, Lambert de Trikingham,
Hervey de Staunton.

Even in this reign we have clear evidence that common pleas still continued to be heard in the Exchequer. In 5 Edward I. the king addressed a writ to the barons of that court, prohibiting them from holding a certain plea between private parties then before them, or any other common pleas contrary to the tenor of Magna Charta.[1] This was repeated in the Statute of Rutland, 10 Edward I., 1282, whereby, after stating that pleas were taken in the Exchequer, which did not concern the king and the officers of that court, by which not only the king's pleas but the causes of the people were unduly prorogued and impeded, it is expressly enacted that no plea shall be holden there, unless it specially concerns the king or the said officers. Again, in the Articuli super Cartas, 28 Edward I., 1300, a similar provision was introduced: — and so difficult was it entirely to stop the practice, that the prohibition was renewed by a royal ordinance two years afterwards.[2]

The court was generally held at Westminster, but some instances occur during this reign of its being held in other places. In Michaelmas, 8 Edward I., it sat at Shrewsbury; in 18 Edward I. it was ordered to be transferred to the

[1] Madox's Exch. ii. 74. [2] Prynne on 4 Inst. 55.

husting of London, and in the twenty-sixth year the king caused it to be removed to York, commanding the sheriff to fit up the castle hall with a square chequer-board, and seats for the treasurer, barons and officers, with a bar for those who attend to plead there.[1]

The barons of the Exchequer seem all to have been equal in rank, having no other distinction than that of seniority. The office of chief baron had not yet been introduced; although some authors so designate Adam de Stratton when he was disgraced and fined in 18 Edward I., and Dugdale inserts William de Carleton in his list, with that title, in 31 Edward I. Stratton, however, was only an officer, and not even a baron of the court; and the authority quoted by Dugdale in support of his assertion as to Carleton, so far from establishing it, contains no expression capable of such an interpretation, but grants precisely the same salary, forty marks per annum, to him and to Peter de Leicester, they being then the two senior barons.[2]

The Issue Roll of 19 Edward I. contains an entry of some curious payments made to the usher of the Exchequer: from which we learn that the salary of that officer was *5d.* a day; that three scribes had each the same salary; that the two chamberlains received *8d.* a day, and the four tellers only *3d.* a day.[3]

## Barons of the Exchequer.

| | | |
|---|---|---|
| I. | 1272–3. | Roger de la Leye, a baron in the last reign.<br>Hervey de Boreham. |
| II. | 1273–4. | Walter de Hopton, Roger de Northwood, John de St. Valerico. |
| III. | 1274–5. | Philip de Wileby. |
| IV. | 1275–6. | John de Cobbeham. |
| XII. | 1283–4. | Peter de Chester, loco Philip de Wileby. |
| XIV. | 1285–6. | William de Middleton, loco Roger de Northwood. |

[1] Madox's Exch. ii. 7. 9. [2] Ibid. ii. 62. [3] Devon's Issue Roll, p. 103.

XIX. 1290–1. William de Carleton, Peter de Leicester, } on the extinction of their former office of justices of the Jews, were made barons. They took the places of Peter de Chester and William de Middleton.

XXIII. 1295. Oct. 21. John de Insula.

Dugdale has erroneously introduced Richard de Saham as appointed a baron in the place of Elias de Wynton. They were both barons of the Exchequer in Ireland.

XXVI. 1297–8. Roger de Hegham.

XXVII. 1299. Oct. 17. Richard de Abyndon, loco John de Cobbeham.

XXXIV. 1306. Oct. 19. Humfrey de Waledene.

The acting barons at the end of the reign were,

William de Carleton, Roger de Hegham,
Richard de Abyndon, Humfrey de Waledene.

In 31 Edward I. the treasury was broken open, and, according to the commission of enquiry issued to some of the judges on that occasion, no less than £100,000 carried away, with other things of enormous and inestimable value.

TABLE OF CHANCELLORS AND KEEPERS OF THE SEAL, AND OF MASTERS OF THE ROLLS.

| R.A. | A.D. | Chancellors and Keepers. | Masters of the Rolls. |
|---|---|---|---|
| 1 | 1272, Nov. | Walter de Merton, *Chanc.* | |
| 2 | 1274, Sept. 21 | Robert Burnell, Archdeacon of York, afterwards Bishop of Bath and Wells, *Chanc.* | |
| 14 | 1286 | — | John de Langton. |
| 20 | 1292, Oct. 25 | William de Hamilton, *Keeper* | — |
| 21 | Dec. 17 | John de Langton, *Chanc.* | made Chancellor. |
| 23 | 1295, Oct. 1 | — | Adam de Osgodby. |
| 30 | 1302, Aug. 26 | Adam de Osgodby, M. R., *Keeper.* | — |
| | Sept. 30 | William de Greenfield, Dean of Chichester, *Chanc.* | — |
| 33 | 1304, Dec. 29 | William de Hamilton, Dean of York, *Chanc.* | — |
| 35 | 1307, April 21 | Ralph de Baldock, Bishop of London, *Chanc.* | — |

The king died July 17, 1307.

## TABLE OF THE CHIEF JUSTICES AND JUDGES OF THE KING'S BENCH.

| A. R. | A.D. | CHIEF JUSTICE. | JUDGES OF THE KING'S BENCH. | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 1 | 1272 Nov. | | ? Richard de Stanes | John de Cobbeham | Walter de Helyun | Martin de Littlebiri | ? John de Reygate | William de Saham | Nicholas de Stapleton |
| 2 | 1273–4 | Ralph de Hengham | — | — | — | — | — | — | — |
| 3 | 1274–5 | — | Walter de Hopton | — | — | | — | — | — |
| 4 | 1275–6 | — | — | John de Metingham | — | Walter de Wymburn | — | — | — |
| 11 | 1282–3 | — | ? John de Cave | — | | — | | — | — |
| 13 | 1284–5 | — | Elias de Sutton | — | | — | | — | — |
| 17 | 1288–9 | — | | — | | | ? Ralph de Sandwich | — | — |
| 18 | 1289–90 | Gilbert de Thornton | | Roger de Brabazon | | | | Robert Malet | |
| 22 | 1293–4 | — | | — | | | | — | John Lovel |
| 23 | 1294–5 | — | | — | | | | — | Gilbert de Roubury |
| 24 | 1295–6 | Roger de Brabazon | | William de Ormesby | | | | | — |
| 29 | 1300–1 | — | | — | | | | Henry Spigurnell | — |

## TABLE OF THE CHIEF JUSTICES AND JUDGES OF THE COMMON PLEAS.

| A. R. | A.D. | CHIEF JUSTICE. | JUDGES OF THE COMMON PLEAS. | | | | | |
|---|---|---|---|---|---|---|---|---|
| 1 | 1272, Nov. | Gilbert de Preston | Henry de Monteforti | Robert Fulcon | Roger de Seyton | Ralph de Hengham | Stephen Heym | William de Weyland |
| 2 | 1273–4 | Roger de Seyton | — | — | Richard de Stanes | — | — | Thomas de Weyland |
| 3 | 1274–5 | — | — | | — | Ralph de Freningham | John de Lovetot | — |
| 4 | 1275–6 | — | — | | Roger de Leicester | — | — | — |
| 6 | 1277–8 | Thomas de Weyland | | | — | Walter de Helyun | — | William de Brompton |
| 12 | 1283–4 | — | | ? Stephen de Pencestre | — | | — | — |
| 18 | 1284–5 | — | | | — | Elias de Beckingham | — | — |
| 19 | 1289–90 | John de Metingham | | | Robert de Hertford | — | Robert de Thorpe | William de Giselham |
| 19 | 1290–1 | — | | | — | — | William de Bereford | — |
| 20 | 1291–2 | — | | | — | — | Peter Mallore | — |
| 22 | 1293–4 | — | | | — | — | — | William de Bereford |
| 25 | 1296–7 | — | | | William Howard | — | — | — |
| 28 | 1299–1300 | — | | Lambert de Trikingham | — | — | — | — |
| 29 | 1301, Sept. 19 | Ralph de Hengham | | — | — | — | — | — |
| 33 | 1304–5 | — | ? Henry de Guldeford | — | — | — | — | — |
| 34 | 1305–6 | — | | — | — | Hervey de Staunton | — | — |

## Table of the Barons of the Exchequer.

| A.R. | A.D. | Barons of the Exchequer. | | | | |
|---|---|---|---|---|---|---|
| 1 | 1272, Nov. | Roger de la Leye | Hervey de Boreham | | | |
| 2 | 1273–4 | — | Walter de Hopton | Roger de Northwood | John de St. Valerico | |
| 3 | 1274–5 | Philip de Wileby | — | — | — | |
| 4 | 1275–6 | — | John de Cobbeham | — | — | |
| 12 | 1283–4 | Peter de Chester | — | — | | |
| 14 | 1285–6 | — | — | William de Middleton | | |
| 19 | 1290–1 | William de Carleton | — | Peter de Leicester | | |
| 23 | 1295, Oct. 21 | — | — | — | John de Insula | |
| 26 | 1297–8 | — | — | — | — | Roger de Hegham |
| 27 | 1299, Oct. 17 | — | Richard de Abyndon | — | — | — |
| 34 | 1306, Oct. 19 | — | — | Humphrey de Waledene | | — |

At the convocation of bishops, peers, and commoners, held at Westminster in January, 1273, just after the death of Henry III., it was ordained that there should be no itinerant judges until King Edward's return to England.[1] He arrived in the following year, when the circuits were renewed; all the regular justiciers acting in their turns, with the assistance of other lawyers, whose commissions were limited to this duty.

Delays, however, being frequently occasioned by the inability of the judges to attend at the times and places appointed, in consequence of the pressure of their other duties, or of special precepts, a new ordinance was issued by the king in the 21st year of his reign, 1293, directing that eight justices should be assigned to take assizes, jurats, and certificates throughout the year; namely, two to each of four divisions, comprehending all the counties in the kingdom, with the exception of Middlesex, which was left to the sole jurisdiction of the justices of the bench.[2] There does not seem to have been any real difference between these and the other justices itinerant, except that they were to be constantly engaged in their functions. Several of them were afterwards raised to the superior bench.

Towards the end of the reign another itinerant court was erected, the judges of which were called Justices of Trailbaston.

The first commission is given in Hemmingford, under the year 1304, and is confined to Yorkshire, being there addressed to Ralph Fitz-William, then the king's lieutenant in that county, and John de Barton, a resident.[3] It occurs again among the parliamentary writs bearing the date of November 22, 1304, 33 Edward I., with the addition of two other justices, viz., William le Vavassur and Gerard Salveyn.

[1] Angl. Sac. i. 499.
[2] Rot. Parl. i. 99.
[3] Historia. Ed. Hearne, p. 208.

Whether this is the same writ as that mentioned in Hemmingford, or one of subsequent date, is uncertain; but another writ was at the same time issued to three justices to act in the counties of Lincoln, Nottingham, and Derby; and a short time afterwards, others to three in Norfolk and Suffolk, dated January 9, 1305, and to two in Lancashire, dated March 12.[1]

A new arrangement, however, was made in the following April, when four commissions were issued, comprehending all the counties in the kingdom, except Cheshire and Durham, which were subject to separate jurisdictions, and the five counties in the home district.[2] These latter were added in a fifth commission, in February, 1307, 35 Edward I., when the other four were renewed.[3]

Both of these latter series of commissions included the counties mentioned in the earlier writs; and neither Ralph Fitz-William nor John de Barton, nor several others, were re-appointed; so that it seems probable that the offences which the first commissions were intended to punish, and which were probably supposed to be confined to the northern and eastern counties named, were found to be more widely extended than was originally suspected, and to require larger powers to be given for their suppression, and more experienced judges to be appointed for the purpose.

Accordingly, to that division which comprehended Yorkshire five justices were appointed, one of whom, both in the commission of 1305 and in that of 1307, was a regular justicier at Westminster, and was always to be present, while the rest were barons and knights resident in the several counties to which it extended. The same course was adopted in each of the three other districts, under both these com-

[1] Parl. Writs, i. 407.
[2] Ibid. 408.; N. Fœdera, i. 970.
[3] Rot. Parl. i. 218.

missions, while the justices named in 1307 for the five home counties were all of them members of the superior courts.

There is a curious petition to the parliament of 35 Edward I., alledging that persons who had been convicted before the justices of trailbaston for conspiracies and other misdemeanors, and had paid their fines for them, got themselves afterwards placed on inquisitions and juries to confound those who had honestly indicted them. An order was therefore given to forbid this in future.[1]

To the writ of this parliament, appointing the justices of trailbaston, is added the oath to be taken by them; one clause of which is, "that they shall take no gift of any one for pleading or other thing which he may have to do before them, except it be to eat and drink *à la jornée*."[2]

Various significations have been given to the term trailbaston. There is no doubt that the judges under these commissions were called justices of trailbaston; but the question is, from what they received their designation. In the Annals of Worcester[3], under the year 1305, it is said, "hoc anno Justiciarii Domini Regis, qui vocantur Trailbaston, primo itineraverunt." Thomas Trivet, in his Annals[4], says that this name was given them by the people; "ab hominibus popularibus vocati sunt de Traylebastoun," adding, "quod sonat trahe baculum." Holinshed[5], who quotes from Trivet, translates this last expression, "which signifieth traile or draw the staff;" and Jacob, in his Law Dictionary, professing to quote from Holinshed, calls this staff "the staff of justice." Thus, out of Trivet's simple statement of a fact, an hypothesis is framed for which his words certainly give no authority; namely, that these justices were so styled from *trailing the staff of justice*. I find no other foundation for this interpretation, and I have little hesitation in discarding it; for if

[1] Rot. Parl. i. 201. [2] Ibid. i. 219. [3] Angl. Sac. i. 529.
[4] Trivet, p. 404. [5] Holinshed, ii. 538.

such were the meaning of the words, no reason appears why they should not have been used in the previous years of the reign, or in reference to any of the itinerant justices who had traversed the counties from the time of Henry I. Indeed, in this view, it might be applied as appropriately to our modern judges, when they go their circuits.

Sir Edward Coke's definition, — that they were so called from the rapidity of their proceedings, which equalled that of the blow with a baton, — seems to be even less defensible. It is not very probable that a term, which, according to this interpretation, must have been given to them by the people, in something like derision, to express the hastiness of their judgments, should have been adopted, as it undoubtedly was, in the records of the state.

Both the origin and termination of these commissions appear to point out that the institution of them was a temporary measure, adopted to meet a particular emergency.

Neither in the commissions of 1304, nor in that of April, 1305, does the word trailbaston occur; but the latter is docketed "De transgressionibus nominatis Trailbaston audiendis et terminandis." The ordinance also made at the parliament of the latter year[1], referring to that commission, does not contain the word, but is marked "Ordinatio de Trailbastons." There is little doubt, therefore, that the word trailbaston applied originally to the offences or the offenders, and not to the judges; although the latter, being assigned to try them, were, as they naturally would be, subsequently so denominated. Thus, in the list of those summoned to the parliament at Carlisle in Hilary, 1307, 35 Edward I., we find William le Vavasour called "Justic. Trailb.;" and William Inge, the judge, is excused his attendance "pro Trailb."[2] In the petition, also, to the same parliament, already referred to, the phrase "coram Justic. de Trailbaston" is used.

[1] Rot. Parl. i. 178. [2] Ibid. i. 188.

The expressions "Pleas of Trailbaston," and "business of Trailbaston," inserted in the two writs dated in February, 1307, afford further proof that the pleas or business were not derived from the designation of the judges, but that the judges were so called from the duty they had to perform; and the king's anxiety to expedite the work, by adding his own judges to those already specially appointed, as exhibited in the body of these writs, shews that the offence had not yet been eradicated, and that the offenders were numerous and bold.

The precise nature of the offence it is difficult to discover. In the original commissions,—after reciting that "many malefactors and disturbers of the peace, perpetrating homicides, depredations, fires, and other wrongs, both by day and night, wander about in woods, parks, and divers other places, in the counties named, and there are harboured, to the great danger of those travelling through those parts and resident in them, and in the king's contempt and the manifest breach of his peace,—by which greater evils might happen, unless a remedy were more quickly applied,"—the king, "desirous of obviating this mischief, and providing against these evils and dangers," appoints certain persons his justices, "to enquire who are these malefactors and their harbourers and confederates, affording them aid and assistance, or procuring and instructing these transgressions to be done: And also to enquire of those who for gifts make a compact with malefactors and disturbers of the peace, and lure them to beat, wound, illtreat, and kill many in the kingdom, in fairs, markets, and other places, from enmity, hatred, malice, and also because they spoke the truth on assizes and inquisitions of felony; whereby the jurors, from fear of these malefactors and their threats, often dare not speak the truth or indict the said malefactors: And also to enquire of those who give gifts of this nature, and how much, and to whom, and who

encourage, support, and maintain malefactors of this sort in their wickedness: and of those, who, by reason of their power and influence, take others under their protection for hire (*pro suo dando*): and of those who maliciously extort money from any one by threats: and to hear and determine those felonies and transgressions according to the law and custom of the kingdom, and the form of the ordinance made hereon by the king and his council, and delivered to them in parliament."[1]

These instructions are contained in the "Ordinatio de Trailbastons" before referred to; and principally direct that all offences committed before Easter, 33 Edward I. (the date of the commission) shall be tried according to law; but that those charged with the above transgressions shall be proceeded against, although no one prosecutes, and if convicted shall be committed to gaol.

This commission is evidently very different from that which was ordinarily issued to the justices itinerant; and it may be inferred from its language that about this period bands of men congregated together and infested the country, robbing and ill-treating the people; that they hired themselves to revenge private quarrels, and received payment from the timid to be free from their attacks; that jurors and witnesses were prevented from prosecuting or giving evidence by their threats, and were beaten, and even killed, if they did so; and that persons of rank and property were not exempt from the charge of supporting these villains for their own purposes. It is observable that no allusion is made to the arms they bore, except what may be collected from the words, "beat, wound, ill-treat and kill;" but it has been supposed that they carried no other weapon than a club, and that they thus obtained their name.

[1] See also the "Ordinatio de Conspiratoribus" in the same parliament, upon which, it would seem, the writ was founded. Rot. Parl. i. 183.

This seems probable from the following extract from Peter Langtoft's Chronicle[1], which not only evidences that they were called Traylbastouns, but describes their practices and their punishment.

"Respouns ount fet au reys gentz de been voyllance,
Coment parmy la tere fet est grant grevaunce
Par comune contekours, ke sunt par fiaunce
Obligez ensembl̃ à une purviaunce;
*Traylbastouns sunt nomez* de cel retenaunce, ..
En fayres et marchez se proferent fere covenaunce,
Pur tres sous ou iiii, ou pur̃ la valiaunce,
*Batre* un prodomme ke unk fist nosaunce
A cors cristiene, par nuli temoygnaunce.
Si homme countredye a nul de l'aliaunce,
Ou marchaund de ses merz li vee fere creaunce,
En sa mesoun demené, sauntz altre daliaunce,
*Batut* serrait been, ou par l'acordaunce
Dora de ses deners et prendre aquitaunce.
Si en la riot ne seit fet desturbaunce,
Une commune guere se levera par chaunce.
Entendu ad ly reys la plaint et la parlaunce,
Escutez ore coment purveu est la vengaunce.
Parmy Engletere gentz de graunz resouns
Assignez sunt justizes *sur les traylbastouns;*

[1] Mr. Wright, from whose "Political Songs," p. 319., this passage is taken, thus translates it:—

"People of good will have made answer to the king how a great grievance is made in the land by common squabblers, who are by oath obliged together to a purveyance; this company are called trailebastons; they offer to make conventions at fairs and markets for three or four shillings, or merely to show their courage to beat a good man, who never did hurt to any christian body, by the testimony of no one. If a man contradict any one of the alliance, or a merchant will not trust them with his merchandise, taken in his own house, without other interference, he shall be well beaten, or by agreement he shall give of his money and take acquittance. If there be no hindrance made to their riot, a war among the commons would by chance arise. The king has heard the complaint and the talk, now hear how the punishment is provided.

"Throughout England men of great account are assigned as judges on the trailbastouns; some by inquest are judged to prisons; others to go to the gallows, to hang thereabout; many are deprived of their possessions; those who had done least ill, are obliged to pay fines. If there was not chastisement of ribalds and rascals, people would not dare to live in their houses."

Les uns par enquest sunt jugez à prisouns;
Li altre alez à fourches à pendre envirouns;
Plusours sunt privez de [lour] possessiouns;
Ke meyns mesfesaynt sunt passez par raunsouns.
Si chastiment ne fust de ribaldes et bricouns,
Osé ne serrait homme vivre en mesouns."

The commission of 1305 into Cornwall and nine other counties, south-western and western, was addressed to William Martyn, Henry Spigurnell, William de Knovill, Roger de Bellafago, and Thomas de la Hyde; the first four of whom are mentioned in a contemporary song on the subject, the date of which is thus identified, as one of them was not re-appointed in 1307.

"Ly Martyn et ly Knoville sunt gent de pieté,
E prient pur les povres qu'il eyent sauveté;
Spigurnel e Belflour sunt gent de cruelté,
Si il fuisent en ma baylie ne serreynt retornée."[1]

This song, a version of which, at once spirited and faithful, has been published by Mr. Lockhart[2], although it professes to be written by one who had fled to the woods to eschew the cruelty of the justices, is in fact an evidence of the general detestation in which the new commission was held. It opens thus: —

"In rhyme I clothe derision, my fancy takes thereto,
So scorn I this provision, provided here of new;
The thing whereof my geste I frame, I wish 'twere yet to do,
An guard not God and Holy Dame, 'tis war that must ensue.

"I mean the articles abhorred of this their trailbaston;
Except the king himself our lord, God send his malison
On the devisers of the same: cursed be they every one,
For full they be of sinful shame, and reason have they none.

"Sir, if my boy offend me now, and I my hand but lift
To teach him by a cuff or two what's governaunce and thrift:
This rascal vile, his bill doth file, attaches me of wrong;
Forsooth, find bail, or lie in gaol, and rot the rogues among."

[1] Wright's "Political Songs," p. 233.
[2] The Bijou, 1828, p. 4.

And so through four-and-twenty stanzas does the writer enlarge on the quick injustice administered, and the temptation thus held out to persons to join the "outlaw's crew," in order to avoid its penalties. One verse peculiarly exemplifies the practices of the trailbastons. After speaking of the two cruel justices, as above, it proceeds: —

"I'd teach them well this noble game of trailbaston to know,
On every chine I'd stamp the same, and every nape also;
On every inch in all their frame I'd make my *cudgel* go;
To lop their tongues I'd think no shame, nor yet their lips to sew."

In these two compositions we thus see the contemporary arguments for and against the institution; and it is worthy of observation, that while one anticipates a war from a continuance of the mischief, the other predicts a war from the adoption of the remedy. Both, however, speak of *beating* as the common practice of the offenders.

Commissions of trailbaston continued to be issued at intervals till the middle of the reign of Richard II., when they finally ceased. We find the preparation for the discontinuance of separate justices itinerant, which occurred about the same time, in the statute of *Nisi Prius*, Westminster II., chap. 30., 13 Edward I., followed by those of *gaol delivery* and *persons appealed*, 27 and 28 Edward I.

Stow relates that in 1294 and divers other times, the justices itinerant sat without London at the stone cross in the High Street near unto the Strand, over against the Bishop of Coventry's house, and sometimes within the bishop's house.[1]

It will be the most convenient course to include all these justices itinerant in one list, naming them in that year in which they were first appointed, omitting all who were

[1] Thoms' Stow, p. 165.

regular justices at the time, and distinguishing those who in this reign were justices of trailbaston only with the letter T.

## Justices Itinerant.

| | | |
|---|---|---|
| II. 1273–4. | Elias de Beckingham, | Solomon de Rochester. |
| III. 1274–5. | William de Northbury, | ? John de Saunford. |
| | William de St. Omero, | |
| IV. 1275–6. | Geoffrey de Leuknore, | Geoffrey de Newbald, |
| | Roger Loveday, | Thomas de Sadington. |
| VI. 1277–8. | Godfrey Giffard, Bishop of Worcester, | John de Vaux, |
| | Geoffrey de Picheford, | Richard de Ware, Abbot of Westminster. |
| VII. 1278–9. | Richard de Boyland. | |
| VIII. 1279–80. | William de Braboef, | ? Adam Gurdon, |
| | ? Roger de Clifford, Senior, | ? William de Hamilton, |
| | | Alan de Walkingham. |
| | ? Matthew de Columbiers, | |
| IX. 1280–1. | Thomas de St. Vigore. | |
| XIII. 1284–5. | Nicholas le Gras, | Hamon Hauteyn. |
| XIV. 1285–6. | ? Richard de Crepping, | William de Vescy. |
| | ? Thomas de Normanville, | |
| XV. 1286–7. | Roger le Brabazon, | William Wyther. |
| | Walter de Stircheleye, | |
| XX. 1291–2. | ? William de Bereford, | John Lovel, |
| | John de Berewyk, | William de Mortimer, |
| | Hugo de Cressingham, | William de Ormesby, |
| | ? John de Crokesley, | Roger le Strange, |
| | ? Simon de Ellesworth, | John Wogan. |
| | Peter Heym, | |
| XXI. 1292–3. | John de Batesford, | Thomas Fisheburn, |
| | John de Bosco, | William Howard, |
| | Walter de Cambhou, | William Inge, |
| | Hugh de Cave, | John de Insula, |
| | Adam de Crokedayk, | Gilbert de Kirkeby, |
| | Henry de Eynefeld, | John de Lythegrenes. |
| XXIII. 1294–5. | Robert de Retford. | |
| XXVII. 1298–9. | John de Bankwell, | Lambert de Trikingham. |
| XXX. 1301–2. | William de Burnton, | Hervey de Staunton. |
| | John Randolf, | |

| | | |
|---|---|---|
| XXXII. 1303–4. | Henry de Guldeford. | |
| XXXIII. 1304–5. | John de Barton, T. | William de Kerdeston, T. |
| | Roger de Bellafago, | Gilbert de Knovill, T. |
| | John de Botetourt, T. | Peter de Malo Lacu, T. |
| | John le Breton, T. | William Martyn, T. |
| | Thomas de Burnham, T. | Adam de Middleton, T. |
| | William de Cressy, T. | Gerard Salveyn, T. |
| | Edmund D'Eyncourt, T. | Milo de Stapleton, T. |
| | Nicholas Fermbaud. | William le Vavasour, T. |
| | Ralph Fitz-William, T. | Richard de Walsingham, T. |
| | Robert de Harwedon, T. | |
| | Thomas de la Hyde, T. | |
| XXXV. 1306–7. | Geoffrey de Hertelpole, | Thomas de Snyterton, T. |
| | Hugh de Louthere, T. | John de Thorp, T. |
| | John de Mutford, T. | |

Edward was not merely desirous of establishing the laws on a firm foundation by judicious enactments, he was equally anxious to preserve the purity of their administration, and ready to punish those who perverted them to selfish and corrupt purposes. The correspondence of the time, as exhibited in the various appendices to the Annual Reports of the Deputy Keeper of the Public Records, contains many instances of interference with the judges in reference to private suits, by princes, nobles, patrons and friends; any one of which would justly excite the indignation of a modern member of the bench. The influence which these recommendations would have would of course vary with the dispositions of the receivers; but there is too much reason to believe that a very general corruption prevailed; and it was not long before the king determined to make an example that should effectually prevent any future delinquency.

In May, 1286, Edward, leaving the Earl of Pembroke regent in his absence, went to France, where he remained more than three years. On his return in August, 1289, 17 Edward I., he was met with complaints that his judges, corrupted by bribes, and enriched by extortion, gave false

judgments, and were guilty of even more heavy transgressions. He immediately instituted enquiries; the result of which was the disgrace and dismissal of almost all the members of the judicial bench.

In the King's Bench, Ralph de Hengham, the chief justice, and William de Saham, were removed; leaving only John de Metingham untouched.

In the Common Pleas four of the five were discharged, viz., Thomas de Weyland, the chief justice, John de Lovetot, Roger de Leicester, and William de Brompton; while Elias de Beckingham was the only one found pure.

The justices itinerant who were charged with corruption were, Solomon de Rochester, Thomas de Sodington, Richard de Boyland, and Walter de Hopton.

Besides these, Adam de Stratton, an officer of the Exchequer, erroneously described by some writers as chief baron, Henry de Bray, escheator, and Robert de Lyttlebury, styled by some master, and by others clerk of the Rolls, were also involved in similar charges.

The precise nature of the offences committed by most of these individuals it is difficult now to ascertain with precision. No parliamentary enquiry seems to have been instituted; but the king appointed the Earl of Lincoln, Bishop Burnell, the chancellor, and others, enquirers into the various charges; and no record of their discoveries is extant. It may well be supposed that their task was not a light one; as, independently of any real grounds of complaint, they would no doubt be inundated with querulous representations of suitors dissatisfied with judgments pronounced against them, and willing to take advantage of such a chance of reversal.

One of the charges against Thomas de Weyland is described with some particularity in the Chronicle of Dunstable.[1]

[1] Ed. Hearne, p. 573.

He is stated to have been guilty of having instigated his servants to commit a murder, and then to have screened them from punishment. Escaping from those who arrested him, he took sanctuary among the Friars Minors at St. Edmundsbury, where he remained for forty days. He was then forced, by the prohibition of all food, to surrender himself; when, rather than stand his trial, he was allowed to abjure the realm, and was taken, with all the usual formalities, to the place of his transportation. He was thenceforth described in the records as a felon; and all his real and personal property was confiscated to the king's use.

The extent of the guilt of the other judges can only be estimated by the amount of the fines (which, however, vary according to different authorities) by which they were eventually permitted to redeem themselves from imprisonment. The highest of these, 7000 marks, is stated to have been imposed on Ralph de Hengham. The falling off of one invested, as he was, with high authority during the king's absence, and holding the principal judicial position in the kingdom, would deserve to be visited with the severest retribution; but the nature of his crime is nowhere recorded; and the complaints that appear against him on the rolls of the parliament held in the following year, 18 Edward I., were evidently the consequences, rather than the causes of his disgrace. He is charged in one petition with confirming a false judgment pronounced by Solomon de Rochester; and by another with having arbitrarily imprisoned Robert de la Ward.[1] His restoration to the bench some years afterwards is a sufficient indication that his offence was not very grievous; and, according to a tradition in the reign of Richard III., his fine was only 800 marks, which was imposed for altering a record by reducing a penalty inflicted

[1] Rot. Parl. i. 48. 52.

on a poor man from 13*s.* 4*d.* to 6*s.* 8*d.* Justice Southcote, temp. Eliz., refused to consent to a similar rasure of the roll, saying that "he meant not to build a clock-house;" and adding that with Hengham's fine the clock-house at Westminster was built, and furnished with a clock to be heard in Westminster Hall. Chief Justice Holt also alludes to this story, the probability of which is attempted to be impugned by the assertion that clocks had not come into common use till a hundred years afterwards; but this is not a sufficient denial, as they were certainly invented before this time; and a nearly contemporary entry of expenses in Canterbury Cathedral proves that a great clock, costing 30*l.*, was put up there in 1292.[1] Though there is no positive evidence of the erection at this time of "the great clock within the palace of Westminster," there is clear proof of its existence in 1370; when its keeper, John Nicole, had sixpence a day "for his wages for the custody thereof[2];" and no doubt in earlier rolls entries would be found of similar payments.

Fines of 4000 marks each were imposed upon Solomon de Rochester and Richard de Boyland, justices itinerant. The specific charges against them do not appear; but several complaints were made in the succeeding parliament against the former, besides the false judgment already referred to, including the imprisonment of Christopher de Axon without cause.[3] Boyland was one of the commissioners of the government during the king's absence, and is supposed to have accumulated large property in Norfolk by his iniquitous proceedings.

Three were fined 3000 marks each as the price of their redemption, viz., William de Saham, justice of the King's Bench, and John de Lovetot and William de Brompton, justices of the Common Pleas. Against William de Saham,

[1] Archæologia, xxxiii. 11.
[2] Issue Roll, 44 Edw. III., 102. 334.
[3] Rot. Parl. i. 46. 48. 59.

I can find nothing imputed, and in one document he is described "in quo dolus seu fraus non est inventus[1];" but one of the charges against John de Lovetot, "coram auditoribus querelarum" is, that he took a verdict from eleven jurors, although the twelfth disagreed with them; and as to William de Brompton, it is a curious circumstance that a complaint before these auditors, that he had pronounced a partial verdict, was discharged as unconfirmed.[2]

The next grade of punishment was a fine of 2000 marks, which Thomas de Sodington and Walter de Hopton, justices itinerant, were each adjudged to pay. No recorded allusion to the offence of the former exists; but the latter seems to have been charged with some judicial transgressions in Norfolk, in which Solomon de Rochester was chiefly implicated; as in the parliament of Easter, 18 Edward I., he declares by his petition that he was not joined in the commission with Solomon, at the time the transaction took place.[3]

Three others, Roger de Leicester, justice of the Common Pleas, Henry de Bray, the escheator, and Robert Littlebury, were fined 1000 marks each; but the records are silent as to the specific charges against them. The detention, however, of money, and the illegal seizure of property by Henry de Bray in his office, are the subjects of some petitions to the next parliament.[4] Of Robert Littlebury I can find no entry whatever, except that the document before alluded to calls him clerk of the Rolls, and adds "qui minimus censebatur."

The fine inflicted upon Adam de Stratton, who was merely an officer in the Exchequer, and not chief baron, is stated at the enormous sum of 32,000 marks, but the actual price of his redemption seems to have been only 500 marks.[5] To this, however, must be added the amount of his possessions both real and personal, which, it is clear, he forfeited; and

[1] Parl. Writs, i. Chron. Abst. 15, note.
[2] Rot. Parl. i. 286, 287.
[3] Ibid. 56.
[4] Ibid. i. 56. 61.
[5] Ibid. ii. 42.

from the word "felo" being frequently added to his name, it is evident that a more than common degree of guilt attached to him.

We have seen the oath against receiving any kind of gift which was imposed upon the justices of trailbaston in 35 Edward I. Rapin refers its introduction to this earlier period, and makes the exception "a *breakfast*, which they might accept, provided there was no excess."[1]

Some instances occur in this reign of parties being punished for contempt of the judges. In 21 Edward I. Eustace de Parles and John his brother were convicted of insulting William de Bereford in the Aula Regis, by imputing to him corrupt and improper conduct during his circuit in Staffordshire, contrary to his oath of office; a charge which was proved to be false by the testimony of his companions on that iter. The offenders were both committed to the Tower at the king's pleasure; but John, having less transgressed than his brother, was allowed to be bailed.[2] In 34 Edward I., also, Roger de Hegham, a baron of the Exchequer, complained[3], that having pronounced a judgment against William de Brewes, the said William contemptuously mounted the bar, and with gross and bitter words, called in question the said judgment, and afterwards insulted the judge as he was passing from the court. Whereupon the king, after alluding to his having dismissed his son Edward, Prince of Wales, from his house for nearly half a year for some outrage towards one of the king's officers[4], ordered that William de Brewes, with his body ungirt, his head uncovered, and his *coif* laid aside, should go from the King's Bench at Westminster through the middle of the hall, when the court was full, to the Exchequer, and there ask Roger de Hegham's pardon, and apologise for

[1] Rapin, iii. 245. [2] Rot. Parl. i. 95. [3] Abbrev. Placit. 256.

[4] This probably refers to the punishment he had inflicted on Prince Edward for an offence against Walter de Langton, Bishop of Lichfield and Coventry.

his offence to him; and that for the contempt done to the king and his court, he should be committed to the Tower, there to remain at the will of the king. The "coif laid aside" ("*tela deposita*") would seem to shew that this contumacious defendant was a serjeant at law.

The robes of the judges were still supplied by the crown, but their salaries seem to have been reduced in this reign. The 100 marks, allowed by Henry III. to Gilbert de Preston as the head of the court of Common Pleas, was continued to him during his life; but his successors, chief justices of either court, were not paid even to that extent of stinted liberality, none of them receiving more than 60 marks or 40*l.* a year.

There was some little difference in the payments made to the other judges of the two courts; 50 marks being given to a few, and 40 marks to the remainder.

That the barons of the Exchequer held a lower grade than the judges of the two other courts is evident from the amount of their salaries being limited to 20*l.* or 30 marks a year, which, to some of them, was increased, towards the end of the reign, to 40 marks.

Making every allowance for the difference in the value of money, such stipends must have been wholly inadequate for the support of these officers; and if the deficiency was to be made up by fees in every variety of form, we can scarcely be surprised that the anxiety to increase them should sometimes look like extortion, and that this temptation to bribery should now and then overcome their virtue.

The designation "Attornatus Regis" was certainly adopted before 6 Edward I., inasmuch as there are two instances in that year of such an officer appearing, without any name being mentioned.[1] The title was not yet, however, in common use,

[1] Abbrev. Placit. 193, 194.

for though some few are so called, the ordinary mode of description is "qui sequitur pro rege." In the following list of those who are distinguished by one or the other of these terms, it will be apparent, as several are acting in the same years, that some were only locally engaged on special occasions. It is equally clear, also, that in most years two were regularly employed, who may perhaps be supposed to answer to our modern officers, the Attorney and Solicitor General. The latter title, however, had certainly not been then adopted; and, as far as I can find, was not used till the reign of Edward IV.

That there was an established advocate on the part of the king appears probable from the fact that in the last year of Edward's reign, John de Mutford was called before the treasurer and barons of the Exchequer, to inform them of the king's right in the matter of a petition then presented.[1] In that year also, both John de Chester, "who followed for the king," and the "King's Serjeants," are mentioned as arguing a case on the king's behalf.[2]

### Attornati Regis.

VI. 1277–8. William Boneville, in Essex.[3]

VII. 1278–9. William de Giselham[4]; and in 8, 9, 10, 14 Edw. I. He is called Attornatus Regis in 9 Edw. I., and also king's serjeant[5], and was raised to the bench in 18 Edw. I.

VIII. 1279–80. Gilbert de Thornton[4]; and in 10 and 13 Edw. I. In 10 Edw. I. he and William de Giselham are called narratores pro rege in the same process.[6] In 9 Edw. I. he was a king's serjeant, and was made chief justice of the King's Bench in 18 Edw. I.

IX. 1280–1. Alan de Walkingham, in Yorkshire.[4]

[1] Rot. Parl. i. 197. [2] Abbrev. Placit. 261. [3] Ibid. 193.
[4] Dugdale's Chronica Series. [5] Abbrev. Placit. 273. [6] Ibid. 274.

X. 1281–2. John le Fawconer; and in 14 Edw. I.[1]

XIII. 1284–5. William de Seleby, in Warwickshire.[2]

XV. 1286–7. William Inge; and in 18, 19, 20 Edw. I.[2] Justice of assize in 21 Edw. I., and chief justice of King's Bench under Edw. II.

XVIII. 1289–90. John de Bosco, in Norfolk.[3]

Nicholas de Warwick[2]; and in 23, 28, 29, 32, 33 Edw. I.[4] A king's serjeant in 21 Edw. I.; died about 34 Edw. I.

John de Haydell, for the king and queen-mother.[5]

XX. 1291–2. Richard de Breteville, Attornatus Regis.[6]

Hugh de Louther, in Salop.[2]

XXI. 1292–3. Roger de Hegham, in York[7]; made a baron of the Exchequer in 26 Edw. I.

XXII. 1293–4. John de Mutford; and in 30 and 35 Edw. II.[8] In the latter year a justice of assize; and a justice of the Common Pleas under Edw. II.

XXIX. 1300–1. John de Chester[2]; and in 32 and 35 Edw. I.[9] He also acted in the same character under Edw. II.; in the tenth year of whose reign he was made marshall of the court.

XXXIII. 1304–5. John de Drokenesford is also mentioned on one occasion[10]; but evidently only in connection with his office of treasurer.

The queen also had an attorney to attend to her separate interests[11], but the name of no one who held the office is recorded.

In the statute 4 of 18 Edward I., as to the manner of levying fines, the word "Countour" appears, without the addition of serjeant; and in the statute of Champerty, 33 Edward I., the terms "Countours, Attournees, Apprentis," are used. In the enactment also against Maintenance, in the *Articuli super Cartas*, chap. 11., 28 Edward I., provision is made that it is not to prohibit parties from having counsel

[1] Abbrev. Placit. 202.; Rot. Parl. i. 368.
[2] Dugdale's Chronica Series.
[3] Abbrev. Placit. 284.
[4] Rot. Parl. i. 18. 140. 146. 149. 172.
[5] Ibid. 18, 19.
[6] Ibid. 102.; Abbrev. Placit. 286.
[7] Arch. Inst. York, Holy Trin. 154.
[8] Rot. Parl. i. 197.
[9] Abbrev. Placit. 261. 297.
[10] Ibid. 255.
[11] Rot. Parl. i. 53.

of "Contours e de sages Gentz" for their fee. The former word Coke says includes serjeants at law, and "Sages Gentz" he interprets apprentices at law.[1]

An action for conspiracy, maintenance, &c., had been brought in 25 Edward I. against Thomas le Mareschall, who pleaded that he was a common serjeant-narrator before justices and elsewhere, and that he stood with and assisted the party in his plea as much as he could as his serjeant, and as it is lawful for such serjeants in such cases.[2] Although it was adjudged that he ought not to answer, such a plea may very well have been the origin of the above mentioned provision in the statute three years afterwards.

That serjeants were not exempt from the corruption of the time may be inferred from the existence of an enactment for its punishment. The statute of Westminster I., 3 Edward I., chap. 29., provides, that if any "serjeant-countre do any manner of deceit or collusion in the king's court, or consent unto it in deceit of the court, or to beguile the court or the party, he shall be imprisoned for a year and a day, and from thenceforth shall not be heard to plead in the court for any man." An instance is recorded in the petitions to the parliament of 18 Edward I. of a counsellor of one party having received a bribe from the other, for whom he procured a false verdict.[3]

Coke, in his preface to the Tenth Report, says, that in the great case of Thomas de Weyland, the serjeants are called "Servientes in legibus et consuetudinibus Angliæ experti." But this is not quite so. By a convenient omission of the context, he confines to the serjeants the description which is given of those whom the king commanded to attend him on the question raised in that case, viz., as well the judges

[1] Preface to 10 Report.
[2] Abbrev. Placit. 237.
[3] Rot. Parl. i. 59.

of both benches, as others of his kingdom, "tam Milites quam Servientes in legibus, &c. experti."[1]

In this reign the list of serjeants commences. All those named by Dugdale and by Wynne[2] are called Servientes REGIS ad legem; and the only one I find, to whom that title is not given, is Thomas le Mareschall, who, as we have seen, calls himself "a common serjeant-narrator, or countor."

The following is the order in which their names appear; but as they are extracted from Liberate Rolls, their actual appointments probably took place at earlier periods.

SERJEANTS.

| | | |
|---|---|---|
| III. 1274–5. | Thomas de Weyland, | John de Cobbeham, |
| | John de Metingham, | Elias de Beckingham. |
| IX. 1280–1. | Gilbert de Thornton, | William de Giselham. |
| XX. 1291–2. | William Inge. | |
| XXI. 1292–3. | Nicholas de Warwick. | |

All of these had some allowance out of the Exchequer, perhaps for their service to the king; and all, except the last, became judges: indeed Thomas de Weyland and John de Cobbeham appear to have been paid after they were raised to the bench; but this might have been only for an arrear then due.

XXV. 1296–7. Thomas le Mareschall.

The word Apprentices, as applied to the law, was first used in this reign. By an ordinance of the parliament of 20 Edward I., entitled "De Attornatis et Apprenticiis," John de Metingham and his companions were enjoined to provide a certain number for every county of the better and more legally and liberally learned, according to what they conceived to be for the convenience of the court and the people; and none but those were to follow the court or interfere in its proceedings. The mandate suggests that 140 will be

[1] Rot. Parl. i. 67.

[2] Dugdale's Chron. Series; Wynne's Serjeant at law.

sufficient, but gives these judges power to increase or diminish the number.[1] The words "attornatis et apprenticiis" are probably used here synonymously, and were intended to apply to pleaders in the court. The necessity for this addition no doubt arose from the division of the courts being carried into full effect, and the Common Pleas being fixed at Westminster, while the King's Bench and Exchequer frequently followed the king. About the same time, also, all justices of assize were appointed to perambulate the kingdom, while all the courts were sitting.

Weever mentions Edmund de Hengrave as a renowned lawyer flourishing at this period.[2]

Although the published editions of the Year Books commence with this reign, they contain no reports of cases decided within it, but only a few memoranda of the Exchequer, from Michaelmas, 2 Edward I., to Trinity, 29 Edward I., omitting six years during that interval and the six concluding years.

In Keilway's Reports there are eight cases in the sixth year of this reign. David Jenkins reports a few in the 18th and 34th years; and some others are in Fitz-Herbert's Abridgment. A very valuable selection also from the Rolls of Pleadings in the court of King's Bench is contained in the Abbreviatio Placitorum, published in 1811.

[1] Rot. Parl. i. 84. [2] Weever, 863.

# BIOGRAPHICAL NOTICES

OF

# THE JUDGES UNDER THE REIGN OF EDWARD I.

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## ABYNDON, RICHARD DE.

B. E. 1299.

*See* under the Reign of Edward II.

## BALDOCK, RALPH DE, Dean and Bishop of London.

Chancellor, 1307.

*See* under the Reign of Edward II.

## BANKWELL, or BAUKWELL, JOHN DE.

Just. Itin. 1299.

*See* under the Reign of Edward II.

## BARDELBY, ROBERT DE.

? Keeper, 1302.

*See* under the Reign of Edward II.

## BARNSTAPLE, Archdeacon of. *See* G. Giffard.

## BARTON, JOHN DE.

Just. Itin. T. 1304.

John de Barton is the second of the two justices (Ralph Fitz-William being the first) to whom the commission of trailbaston confined to Yorkshire, and copied in Spelman, is

directed.[1] The date is there omitted; but in Hemingford (p. 208) it is placed under the year 1304. Among the parliamentary writs is one dated November 23, 1304, addressed not only to these two, but to two others[2]; so that it is probable there were two commissions, and that the first was issued before the great extent of the offence was known; especially as in April, 1305, a still more formal appointment of judges for almost every county in England, including Yorkshire, took place[3]; among whom, or among those afterwards nominated, neither Fitz-William nor Barton appear.

In the above commission he is erroneously called "de Ryton," as he is afterwards designated "de Fryton," not only in the parliamentary writ, but also in a commission to enquire relative to a chest of specie found on the sea shore in Yorkshire, claimed by the king as a wreck; in which he was afterwards superseded by four other commissioners, at the head of whom was the above-named Ralph Fitz-William; and the whole proceedings were stopped in 8 Edward II.[4] He is so called, also, in another commission in the latter year, by which he was assigned to collect and levy the scutage of the county of York.[5] He was summoned to perform military service against the Scots in 24 Edward I., and in the 28th and 31st years of that reign, was named in commissions of array in Yorkshire.[6]

## BATESFORD, JOHN DE.

Just. Itin. 1293.

*See* under the Reign of Edward II.

[1] Glossary, *Trailbaston.*
[2] N. Fœdera, i. 970.
[3] Abbrev. Rot. Orig. i. 214.
[4] Parl. Writs, i. 407.
[5] Rot. Parl. i. 342.
[6] Parl. Writs, i. 277. 345. 370.

BATH AND WELLS, BISHOPS OF. *See* R. BURNEL; W. DE MARCHIA; I. DE DROKENESFORD.

BAUKWELL, JOHN DE. *See* BANKWELL.

## BECKINGHAM, ELIAS DE.

JUST. ITIN. 1274. JUST. C. P. 1285.

IT is to be regretted that so little is known of the history of a man, who, amidst the corruption of his fellows, stood without taint. Elias de Beckingham was one of the two judges who alone were found pure, when all the others were convicted of corrupt practices, and dismissed in disgrace from the seat of justice.

Nothing is recorded of him beyond this fact, and the dates of his judicial career. He is first mentioned at the bottom of the list of justices itinerant into Middlesex in 2 Edward I., 1274; and it would appear that the appointment was cancelled, as another commission follows in the next Roll of that year, in which the name of Solomon de Rochester is substituted for his. He clearly was not then a regular justicier, as he is mentioned in a Liberate of the following year as a king's serjeant. In 4 Edward I. he was one of the justices of assize then appointed.[1]

He afterwards filled the office of keeper of the records and writs of the Common Pleas; and an allowance of twenty shillings was made to him for the expenses of their carriage from Westminster to Shrewsbury, where the king, on his expedition to Wales in 11 Edward I., had ordered the court to be held.[2]

It was not till Michaelmas, 13 Edward I., 1285, that he was raised to the bench as a judge of the Common Pleas; and, except that he went the circuit into Dorsetshire in 16

[1] Dugdale's Chron. Series. [2] Madox's Exch. ii. 7.

Edward I., and that fines were levied before him, there is no other mention of him till the period when the judges were all apprehended by the king on charges of bribery and corruption, and he and John de Metingham only were honourably acquitted. This occurred towards the end of 17 Edward I., 1289; and the Parliament Roll of 20 Edward I. contains an honourable record of his purity. After stating that a certain proceeding in the Common Pleas was not found on the Roll of Thomas de Weyland and his companions, it proceeds thus: "Et quia Elias Bekingham, qui de societate prædicti Thomæ tunc fuit, recordatur, quod tenens semper formam brevis calumpniavit, cujus soli recordo major fides est adhibenda quam rotulis predicti Thomæ, in quibus falsitas manifesta repericbatur; per quod idem Thomas et alii de societate sua omnes tunc justic. preter predictum Eliam, et falsitati sue consentientes penitentiam suam sustinuerunt, et idem Elias semper fidelis extiterit, et in servitio regis fideliter se gesserit," &c.[1]

He retired from the bench, or died, in 34 Edward I., 1305, the last fine levied before him being dated in fifteen days of St. Martin in that year.[2]

He was buried at Bottisham church in Cambridgeshire; and on his sepulchral memorial he is designated "Justiciarius Domini Regis Angliæ."[3]

## BEK, THOMAS, Archdeacon of Dorset, Bishop of St. David's.

? Keeper, 1279.

Thomas Bek, or Becke, was second son of Walter Bek, baron of Esseby in Lincolnshire; and Mr. Hardy places him in his Catalogue of Keepers of the Great Seal, on the

[1] Rot. Parl. i. 84.
[2] Dugdale's Orig. Jurid. p. 44.
[3] Proceedings of the Archæological Inst., vol. i. p. 24.

questionable ground that when John de Kirkeby, in whose possession it was left by Robert Burnel, the chancellor, was commanded to attend the king in May, 1279, 7 Edward I., he was directed to leave the seal, *sealed up with his own seal*, in the custody of Thomas Bek; and that in the same month they were both ordered to attend with it at Dover, and there to await the king's messenger.[1] There is also a writ from the king to them both, dated June 8, relative to a prebend in the church of St. Martin's-le-Grand.[2] Bek was no doubt at that time, as he certainly was three years before[3], keeper of the king's wardrobe, the usual place of the seal's deposit. In the same year, also, he was constituted treasurer; but remained so a short time only, as Joseph de Cancy, prior of St. John of Jerusalem, held it very soon after.[4]

Like most of the officers of the court in those days he was an ecclesiastic, and in 3 Edward I. was in possession of the archdeaconry of Dorset, which he held till he was elected Bishop of St. David's on June 3, 1280. He sat there for thirteen years, during which time he founded two colleges in Wales, one at Aberguilly, and the other at Landewy-brevy. He died on April 14, 1293.[5]

His two brothers, John and Anthony Bek, were both officers in the Exchequer about this time, the former of whom succeeded his father as eldest son, and the latter was employed in various missions, and ultimately became Bishop of Durham.[6]

[1] Hardy's Catalogue, 12.
[2] 7 Report Pub. Rec., App. ii. 253.
[3] Issue Roll, iii. 91.
[4] Dugdale's Chron. Ser.
[5] Godwin de Præsul. p. 580.; Le Neve, 218. 512.
[6] Madox's Exch. ii. 103.; Sixth Report Pub. Rec., App. ii. 91. 102. 107.; Nicolas's Siege of Carlaverock, 288.; Dugdale's Baronage, i. 426.

## BELLA FAGO, ROGER DE.

Just. Itin. 1305.

Dugdale does not mention Roger de Bella Fago, (Beaufoe, or Belfour,) but the rolls of parliament prove that he was one of the justices of assize for Warwickshire in 33 Edward I., 1305, in conjunction with William de Mortuomari[1], and that he was appointed in 33 and 35 Edward I. a justice of trailbaston for Cornwall and nine other counties.[2] His harshness and cruelty in performing this duty is commemorated in a contemporary song.[3] His connection with the court is further evidenced by his being named in a patent of uncertain date, as one of the commissioners to survey the obstructions of the river Thames between London and Oxford.[4] It does not appear in what manner he was related to the opulent family of his name, which was settled in Norfolk, and which traced its lineage to Ralph de Bella Fago in the time of the conquest; but we find that he resided in Oxfordshire, and that his daughter Isabella married John de Walerico, and, being afterwards divorced from him, became the wife of William Ulgar.[5]

## BENSTEDE, JOHN DE.

? Keeper, 1296.

*See* under the Reign of Edward II.

## BEREFORD, WILLIAM DE.

Just. Itin. 1293. Just. C. P. 1296.

*See* under the Reign of Edward II.

[1] Rot. Parl. i. 168.
[2] Ibid. 218.; N. Fœdera, i. 970.
[3] Wright's Political Songs, p. 233.
[4] Rot. Parl. i. 475.
[5] Abbrev. Placit. 214. 299.

## BEREWYK, JOHN DE.

JUST. ITIN. 1292.

*See* under the Reign of Edward II.

BEVERLEY, PROVOST OF. *See* P. DE CHESTER.

## BOREHAM, HARVEY DE.

B. E. 1272.

*See* under the Reign of Henry III.

HARVEY DE BOREHAM was of a family which took its name from the village so called in Essex. He was an officer of the Exchequer, and also belonged to the ecclesiastical profession. The latter is shewn by his being a canon of St. Paul's; and the former by his appearing before the barons of the Exchequer with Adam de Stratton for Isabella, Countess of Albemarle, and in her name presenting Ralph de Stratton, her clerk, to act as chamberlain in her place.[1] This was in 49 Henry III., 1264, and in the same year fines were levied before him from November till the following Easter. Dugdale accordingly introduces him at that time among the justices of the Common Pleas[2], but he does not appear to have acted afterwards in that character. He is, however, recorded as a baron of the Exchequer in 1 Edward I.[3], and probably continued so till his death in the fifth year of that reign.[4]

## BOSCO, JOHN DE.

JUST. ASS. 1293.

JOHN DE BOSCO was an advocate in the courts, and in 18 Edward I. was employed to plead on the part of the king.[5]

[1] Madox's Exch. ii. 296.
[2] Dugdale's Orig. Jurid. 21. 42.
[3] Madox's Exch. ii. 28. 320.
[4] Cal. Inquis. post mortem, i. 62.
[5] Abbrev. Placit. 284.

On the appointment of the eight justices of assize in 21 Edward I., 1293, he was selected as one, and the circuit to which he was attached comprehended the counties of Cornwall, Somerset, Dorset, Devon, Wilts, Hants, Oxford, Berks, Suffolk, and Surrey.[1] In the same year he claimed, with his brothers-in-law, the manors of Toleshunt, Tregoz, and Blunteshale in Essex, as son of Lucy, one of the four sisters of Nicholas de Tregoz.[2] He was summoned among the judges to parliament in the twenty-third and twenty-fifth years of that reign.[3] His career seems to have terminated disgracefully, as he was convicted in 6 Edward II. of abstracting a king's writ, and substituting a false one in its place.[4]

## BOTETOURT, JOHN DE.

Just. Itin. T. 1305.

John de Botetourt was appointed one of the justices of trailbaston in 33 Edward I., 1305[5], and in the same year received his first summons to parliament[6], and was sent to treat with the Scots on the affairs of that kingdom.[7] Dugdale states nothing of his origin, but mentions his appointment as governor of St. Briavel's Castle in Gloucestershire, and as warden of the Forest of Dene in 19 Edward I. Two years afterwards he was a justice of gaol delivery in the counties of Warwick and Leicester[8]; and in 22 Edward I., being then admiral of the king's fleet, he was summoned to serve in Gascony, and was in the expedition there in the twenty-fourth year, during which period various sums of money were paid to him on the king's account.[9] In the

[1] Dugdale's Chron. Series.
[2] Rot. Parl. i. 92.
[3] Parl. Writs, i. 29. 52.
[4] Abbrev. Placit. 316.
[5] N. Fœdera, i. 970.; Rot. Parl. i. 330. 478.; ii. 432.
[6] Nicolas's Synopsis, Corrigenda, 31.
[7] Rot. Parl. i. 267.
[8] Ibid. 95.
[9] Ibid. 169. 194.

following years he accompanied the king in his Scottish wars, and was present in June, 1300, at the siege of Carlaverock, the metrical chronicler of which describes him as "light of heart and doing good to all."[1] He was a party to the barons' letter to the pontiff in 29 Edward I., in which he is styled "Lord of Mendlesham," in Suffolk. Two years afterwards he was nominated the king's lieutenant in Cumberland, Westmoreland, &c.[2] and in 33 Edward I. he was assigned with two others to hear and determine certain transgressions committed at Bristol.[3]

Under Edward II. he was equally distinguished, being appointed one of the peers to regulate the royal household, and afterwards to treat with the Earl of Lancaster. He was again admiral of the king's fleet, and governor of the castles of St. Briavel and Framlingham; he also served again against the Scots, besides being engaged in several commissions of a civil character. He died in 18 Edward II.[4], leaving his wife, Matilda, surviving him.[5] She was the daughter of Beatrice de Beauchamp, widow of William de Beauchamp, and on the death of her brother Otho became his heir. By her he had three sons, Thomas (who died in his father's lifetime), John, and Otho; and two daughters, Elizabeth, who married, first, William, Lord Latimer, and secondly Robert de Ufford, and Joane, married to Robert Fitz-Walter.

Thomas's son John succeeded to the honours, which devolved at his death on his grand-daughter Joyce, the wife of Sir Hugh Burnell. At Joyce's death, without issue, in 1406, the barony fell into abeyance among the three daughters of the last baron, and so remained till 1764, a period of 358 years, when Norbonne Berkely, the lineal descendant and heir of one of the daughters, was summoned

[1] Nicolas's Siege of Carlaverock, 32. 202.
[2] Parl. Writs, i. 368.
[3] Rot. Parl. i. 168.
[4] Cal. Inquis. post mortem, i. 319.
[5] Abbrev. Placit. 355.

to parliament by the old title; but, dying in 1776 without issue, the barony again remained in abeyance till 1803, when it was confirmed to Henry Somerset, fifth Duke of Beaufort, the son of Charles, the fourth duke, by Elizabeth, the sister and sole heir of Norbonne Berkely, the last lord, and it is still held by the present duke.[1]

## BOYLAND, RICHARD DE.

Just. Itin. 1279.

Blomefield thinks that Richard de Boyland was the son of Roger de Boyland and Alice his wife. In 1268 he purchased part of the manor of Brisingham in Norfolk, which was afterwards called by his name. In part payment he gave eighty acres which he had previously held in Pulham in the same county. He was then a successful lawyer, and in 7 Edward I., 1279, he was appointed one of the justices itinerant into Dorsetshire, Somersetshire, and Wiltshire, an office which he continued to execute in various other counties[2], until, for his corruption in the administration of justice, he was disgraced in 1289, 18 Edward I., and was fined 4000 marks for his extortions.

After his discharge he retired to his manor of Boylands, and built a noble mansion there, famous for the moat that surrounded it, and for the magnificent conduit which he constructed. He lived for six years afterwards, dying in 24 Edward I.[3] His son, John Boyland, presented a petition to the parliament of 30 Edward I. relative to a debt of 400*l.* due by his father to the king.[4]

The name of his first wife was Matilda, and his second was Ellen, the daughter of Philip de Colvile. The extent

[1] Dugdale's Baronage, ii. 46. ; Nicolas's Synopsis.
[2] Dugdale's Chron. Series. [3] Cal. Inquis. post mortem, i. 129.
[4] Rot. Parl. i. 158.

of his possessions, which, in 1295, comprehended many manors and lands in Norfolk and Suffolk, over part of which he had a grant of free warren in 1285, may shew either his success as a lawyer or his corruption as a judge; but it would be unjust to attribute his riches to the latter, considering that King Edward was not likely to be lenient or to discourage complaints against him. He left, besides the above mentioned John, another son named Richard, but in three generations the family became extinct in its male branch.[1]

## BRABAZON, ROGER LE.

?JUST. ITIN. 1287. JUST. K. B. 1289. CH. K. B. 1295.

*See* under the Reign of Edward II.

## BRABOEF, WILLIAM DE.

JUST. ITIN. 1280.

THE ancestor of William de Braboef came into England with the Conqueror, and his descendants held lands in Surrey, Hampshire, and several other counties.[2] William de Braboef acted as assessor for Hampshire for the fifteenth granted in 3 Edward I., and in the sixth year that county was committed to his charge as sheriff. He held the office for the next two years, in the latter of which he had a licence to convert his wood of Haywoode within the forests of Penbere and Everle into a park.[3] In the same year he was the last named of the four justices itinerant in Hampshire, Devonshire, Cornwall, and Wiltshire; a duty which the same four, with one added, again performed in Cornwall in 10 Ed-

[1] Blomefield's Norfolk, i. 38.; Abbrev. Placit. 208. 319. 339.
[2] Manning and Bray's Surrey, i. 86.; Abbrev. Placit. 48. 78. 164.
[3] Cal. Rot. Pat. 48.

ward I.[1] He was again employed as assessor in Hampshire for the thirteenth granted in the following year.

He died in 12 Edward I., soon after which Joane, his widow, and John Randolf (hereafter mentioned as a justice itinerant in this and the next reign), the executors of his will, accounted for the issues of the forfeitures of certain Jews, to discover and sell whose goods and chattels he had been appointed a commissioner.[2]

## BRETON, JOHN LE.

Just. Itin. T. 1305.

The family of Breton held considerable possessions in Norfolk, but to what branch of it this John le Breton belonged is uncertain. He was probably the "Dominus de Sporle" of that name who joined in the barons' letter to Pope Boniface VIII. in 29 Edward I. On January 9, 1305, 33 Edward I., he was one of the justices of trailbaston, then appointed for the counties of Norfolk and Suffolk, and was again nominated on April 6, 1305, and on February 18, 1307.[3] It was no doubt in this character that his name occurs among the judges and clerks of the council summoned to parliament in 1 & 2 Edward II. In the next year he was an assessor of the twenty-fifth granted in Norfolk[4], and he died in 4 Edward II.[5]

In 17 Edward I., the king committed to a John le Breton the city of London, which had been deprived of its liberties[6]; and we find him still custos in the twenty-fifth year[7], when the

[1] Dugdale's Chron. Ser.

[2] Parl. Writs, i. 3. 13.; Abbrev. Rot. Orig. i. 32. 34. 48.; Madox's Exch. i. 231.

[3] Parl. Writs, i. 497.; N. Fœdera, i. 970.; Rot. Parl. i. 218.

[4] Parl. Writs, ii. 592.

[5] Abbrev. Rot. Orig. i. 177.

[6] Cal. Rot. Pat. 53. 56. 59.

[7] Madox's Exch. ii. 96.

liberties were restored; but whether he was the same person as the justice of trailbaston is not apparent.

## BROMPTON, WILLIAM DE.

JUST. C. P. 1278.

THE Fine Roll of 52 Henry III., 1268, contains an entry that William de Brompton and Cecil his wife paid for an assize in Essex.[1] He was constituted a judge of the Common Pleas in 1278, 6 Edward I.[2]; and fines were levied before him from the morrow of St. Martin in that year till Michaelmas, 17 Edward I., 1289.[3] Soon after this he was disgraced and imprisoned in the Tower for corruption in his office.[4] One of the charges against him was that he impeded the prior of Huntingdon in an assize of Darrein Presentment to the church of Suho, whereby the bishop took it by lapse of time.[5] An enquiry also took place as to a judgment he was alleged to have pronounced through favour to John de Kirkeby, Bishop of Ely, for one John Paynell, against the abbot of Rupe by default of the latter. It was attempted to be proved by witnesses on one side that the abbot was dead at the time of the supposed default, who were met on the other by evidence that he was alive. The result was that the new abbot's witnesses were disbelieved, and the judgment was ordered to stand.[6]

But his offences must have been of a far more heinous nature than either of these, as the fine of 6000 marks, which he is stated to have been compelled to pay for his enlargement, was one of the highest that was imposed upon those who shared in his disgrace.

[1] Excerpt. e Rot. Fin. ii. 471.
[2] Parl. Writs, i. 382.
[3] Dugdale's Orig. Jurid. 44., where he is called Burton.
[4] Stow's London, 44.
[5] Rot. Parl. i. 48.
[6] Abbrev. Placit. 287.

His name is sometimes spelled Burnton, two instances of which occur during the time he was upon the bench.[1] A William de Brompton is named as one of the king's councillors in the Statute de Escaetoribus, 29 Edward I., 1301[2], and as one of the justices of the Bishop of Durham in the same year[3]; and in the following a justice itinerant in Cornwall called William de Burnton occurs[4], but whether they were the same person I have not been able to discover.

## BURNEL, ROBERT, Archdeacon of York, and afterwards Bishop of Bath and Wells.

Chancellor, 1274.

The parentage of Robert Burnel is variously described. Dugdale[5] makes him uncle (as he certainly was) of his heir Philip, whom he calls the son of Hugh, who was the son of another Philip, the brother of William and Robert, both of whom, he adds, were drowned in 1282, 11 Edward I.; thus the bishop must have been the brother of Hugh, and the son of the last named Philip. Godwin[6] agrees in his being the brother of Hugh; but says that he was the son of Robert. Again, by Dugdale's account, the Robert who was drowned procured a market and two fairs for Acton Burnell in Shropshire, in 54 Henry III.; while Mr. Hartshorne, in his interesting article on the subject[7], appropriates this grant as one made to Robert, the bishop. In regard to this, it appears probable that Dugdale is in error; for there is no doubt that the bishop, four years before this date, was in possession of property at Acton Burnell, an annual payment of fifteen shillings for certain lands reduced into cultivation in the woods of that manor, and others within the forest of

[1] Abbrev. Placit. 205. 277.; Abbrev. Rot. Orig. i. 63.
[2] Stat. at large, i. 147.
[3] Parl. Writs, i. 108.
[4] Dugdale's Chron. Series.
[5] Dugdale's Baronage, ii. 60.
[6] Godwin de Præsul. 374.
[7] Archæol. Journal, ii. 325.

Salop, being remitted to him by a patent of 50 Henry III., 1265, wherein he is described as clerk to Edward, the king's eldest son.[1]

Discarding the story of a Robert being drowned with his brother William, for which there does nōt seem sufficient authority, another Robert is mentioned by Dugdale, at an earlier period, who died 1249, 34 Henry III. He, probably, was the father of William, Robert, the bishop, Philip and Hugh. William died before his father, and homage was done in 31 Henry III. for some lands he held in Shropshire by William, his son[2]; who, if he be the same, was in a state of outlawry for felony in 35 Henry III.[3], and was dead in the following year, his widow, Ducia, being mentioned in 36 Henry III.[4]

Bishop Robert, if the eldest son, would have succeeded at his father's death in 1249, or, if the second, at his nephew William's death, about 1252. In either case the discordant statements would be reconciled, and his possession of Acton Burnell in 1265 be accounted for.

However this fact may be, there is proof on the Patent Rolls that he was born there[5]; and it has been already shewn that, in 1265, he was acting as clerk or secretary to Prince Edward. In the year previous, also, certain demands for which he had been summoned into the Exchequer were respited, as he was then going as nuncius or agent for the king and prince into Ireland.[6] He therefore was, no doubt, the Robert who is mentioned by Dugdale as being signed with the cross with Prince Edward in 1269. If he accompanied that prince to the Holy Land, he must have returned to England before him; as Madox cites two records in the first year of Edward's reign, by which it is evident that he

[1] Archæol. Journ. ii. 326.
[2] Excerpt. e Rot. Fin. ii. 21.
[3] Ibid. p. 118.
[4] Ibid. p. 136.
[5] Pat. 12 Edw. I. m. 7.
[6] Madox's Exch. ii. 218.

held a high place in the council during the king's absence [1]; and there are also several letters addressed by him to Walter de Merton the chancellor.[2]

Although Godwin states that he was treasurer before he was chancellor, there is nothing to show that he held that appointment. Indeed, one of the two records last cited seems to prove the contrary, as it is a view taken of an account before Brother Joseph de Chancy, Prior of St. John of Jerusalem, then treasurer, and Robert Burnel, without any addition. He was at this time Canon of Wells and Archdeacon of York, and, from the above fact, probably held some office in the Exchequer.

King Edward returned to England on August 2, 1274, in the second year of his reign, and was crowned on the 19th. Within a month afterwards, Burnel, on the retirement of Walter de Merton, was raised to the chancellorship, the Great Seal being delivered to him on September 21, 1274.[3] He filled this office all the remainder of his life, and never, during the eighteen years that it lasted, lost the confidence of his royal master; a distinction which he well merited from the wisdom of his counsels, and the zeal and assiduity with which he aided his sovereign's efforts in the improvement of the law.

In January, 1275, he was elected Bishop of Bath and Wells, and was consecrated at Merton on the 7th of the following April.[4] On the abdication of the Archbishoprick of Canterbury by Robert Ascwardby in 1278, the monks elected Bishop Burnel as his successor; but the pope, not deeming him a man fitted for his purposes, annulled the appointment, and placed John Peckham in the vacant seat.[5]

In 6 Edward I. he went into foreign parts, when he ap-

[1] Madox's Exch. ii. 207.
[2] 6 Report Pub. Rec., App. ii. 92, 93. 113.
[3] Dugdale's Chron. Ser. [4] Godwin de Præsul. 374. [5] Ibid. p. 97.

pointed John de Kirkeby to transact the business of the Chancery during his absence, leaving the Great Seal under his custody[1]: and in February, 1283, 11 Edward I., he pursued the same course on his going "usque partes proprias."[2] In the following year he left the Seal in the care of Hugh de Kendal and Walter de Odyham[3]: and in 14 Edward I., August, 1286, when the king went abroad, he accompanied him with the Seal, and did not return till August, 1289[4]; and lastly, on his visiting his diocese in the next year, he left the Seal in the custody of Magister William de Marchia.[5] All these were evidently officers of the Chancery.

Acton Burnell, the place of his birth and residence, has acquired an interest in historical recollections by having given its name to the Statutum de Mercatoribus, which was enacted there on October 12, 1283, 11 Edward I. The king was then paying a visit to his chancellor, while a parliament, which he had summoned to meet at Shrewsbury, were determining the fate of the Welsh Prince David. When that trial was over, the parliament joined the king at Acton Burnell, and passed this statute; after which the king extended his royal visit till November 12. Some remains of the room in which the parliament sat, still exist. They belong to the old mansion of the Bishop's ancestors. But soon after this he commenced a new building, for the erection of which he had the royal permission to take timber from the Forest of Salop, and a license to embattle it. This mansion still remains, but the interior is now so much choked up with modern erections that its original arrangement can scarcely be ascertained.[6] The great hall in the episcopal palace at

[1] Lib. 6 Edw. I., m. 2.
[2] Lib. 11 Edw. I., m. 8.
[3] Pat. 12 Edw. I., m. 7.
[4] Claus. 14 Edw. I., m. 4; 17 Edw. I., m. 5.
[5] Claus. 18 Edw. I., m. 14.
[6] Mr. Hartshorne's Paper, Archæol. Journal, ii. 325., &c.

Wells, which was destroyed by Sir John Gates, was erected by Burnel; and it is amusing to see Bishop Godwin assigning the knight's subsequent decapitation as a just reward of his sacrilege.[1]

One of the last acts which is recorded of Bishop Burnel is his attendance at Norham as chancellor at the meeting of the Scottish peers, on June 3, 1291, when King Edward acted as arbitrator between the competitors for that crown.[2]

On October 25, 1292, he died at Berwick on Tweed, when his body was removed to Wells and buried there. His large property devolved on his nephew Philip, whose son Edward was summoned to parliament in the next reign, but died without issue. His nephew Nicholas, the son of his sister Maud by John de Handlo, assumed the name of Burnell, and was also summoned under Edward III.; but his son Hugh leaving only daughters, the barony fell into abeyance.[3]

Robert Burnel was an active and a wise minister, serving the crown with zeal, energy, and prudence. No chancellor before him had ever held the Seal so long, or retained so uninterruptedly his sovereign's confidence. The monk of Worcester gives his character in these words: "Regi tam utilis, plebi tam affabilis, omnibus amabilis: vix nostris temporibus illi similis invenietur."[4]

## BURNHAM, THOMAS DE.

Just. Itin. T. 1304.

In the first commission of Trailbaston into the counties of Lincoln, Nottingham, and Derby, dated November 23, 1304, 33 Edward I., Thomas de Burnham was the last justice of the four to whom it was addressed.[5] On the renewal of the commissions in the following April, he was not re-appointed:

[1] Godwin de Præsul. 374.
[2] Lingard. iii. 206.
[3] Dugdale; Nicolas's Synopsis.
[4] Angl. Sac. i. 514.
[5] Rot. Parl. i. 407.

but he had in the mean time been returned as knight of the shire for Lincolnshire, which he had already represented in three parliaments, and was again elected to that of 2 Edward II.[1]

## BURNTON, WILLIAM DE.

JUST. ITIN. 1302.

WILLIAM DE BURNTON was the last named of five justices itinerant appointed in 30 Edward I., 1302, for the county of Cornwall[2]: whether he was the same as William de Brompton, the justice of the Common Pleas in this reign, whose name was sometimes written Burnton, does not clearly appear; but as thirteen years had elapsed since his disgrace, it may have been his son.

## BYRLAY, WILLIAM DE.

? KEEPER, 1298.

ALTHOUGH Mr. Hardy introduces William de Byrlay (Birlaco) among the keepers, he can hardly be considered entitled to that designation. He seems to have been merely a clerk in the Chancery, to whom, with two of his brethren, the Great Seal was on some occasions entrusted during the temporary absences of the chancellor. On March 15, 1298, 26 Edward I., John de Langton, the chancellor, deposited the Great Seal in the hands of him and of Master John de Craucombe and Master John de Caen, to be kept in their custody till his return.[3] Another entry on December 28, 1298, of these three delivering the Seal into the wardrobe to be taken to the chancellor, states that it had been committed to them when that officer went to advise with the Archbishop

[1] Rot. Parl. i. 86. 97. 120. 146.
[2] Dugdale's Chron. Series.
[3] Hardy's Catal. p. 14.

of Canterbury relative to his election to the see of Ely.[1] I am inclined to think that Mr. Hardy is mistaken in noticing these two entries as having relation to each other; because the interval between them is too long for an occasional absence, and because at the first date the bishoprick of Ely was not vacant, as William de Luda did not die till March 25 or 28, and the election would not take place till some time afterwards. The Seal was next placed under his seal and those of John de Caen and Robert de Bardelby, on August 23 and October 30, 1302, 30 Edward I.[2]; and on December 29, 1304, it was again in his possession in conjunc- with Adam de Osgodby, the Master of the Rolls, and Robert de Bardelby.[3] After the latter date his name does not occur.

## BYRUN, JOHN DE.

JUST. ITIN. T. 1305.

A SEPARATE commission of Trailbaston was issued on March 13, 1305, 33 Edward I., for the county of Lancaster, addressed to two justices, one of whom was John de Byrun. In the following month, Lancashire was consolidated with the other northern counties in a new commission, in which his name was not included.[4]

John de Byrun was a lineal descendant from Ralph de Burun, who at the time of the Conqueror's survey had eight lordships in Nottinghamshire and five in Derbyshire. His great-grandfather Robert obtained considerable property in Lancashire by his marriage with Cecilia, the daughter and heir of Richard Clayton, of Clayton in that county, by whom he had a son, also Robert, the father of a John, who by marrying Joan, daughter of Sir Baldwin Thies, and widow of Sir Robert Holland, greatly increased his possessions in Lanca-

[1] Rot. Claus. 27 Edw. I., m. 18.
[2] Rot. Claus. 33 Edw. I., m. 22.
[3] Madox's Exch. i. 421.
[4] Parl. Writs, i. 407, 408.

shire by the addition of extensive lands in Rochdale. He was the father of John de Byrun, the subject of the present notice.

It was said that the barony was lost in the reign of King John, who gave it to William Briwer. We find John the father, however, seated at Clayton, and appointed one of the conservators of the peace for that county in 15 Edward I.[1] He was sheriff of Yorkshire for seven years from 21 Edward I.[2], and actively engaged in raising the forces for the Scottish wars. In 28 Edward I. he held a high place in the commission to perambulate the forests of that and the neighbouring counties.

John the son for the first nine years of the reign of Edward II. held an equally prominent position in Lancashire[3]; after which he is not mentioned. Some little confusion arising from the identity of name, renders it difficult to distinguish precisely the acts of the two. The date of neither of their deaths is given. The son married Alice, cousin and heir of Robert Banastre of Hyndeley, Lancashire, and was succeeded by his son Richard de Byron. In regular descent from him came Sir John Byron, who for his faithful adherence to the fortunes of King Charles I., and his valiant support of his cause, was created Baron Byron of Rochdale on October 24, 1643. The present baron, the seventh lord, is his lineal descendant. The surpassing genius of George Gordon Byron, the last lord, has given to the title an immortality, which it could have never derived either from the antiquity of the family or the devoted loyalty for which the peerage was granted: his works will remain a lasting monument of his glory, but a sad record of his unhappy disposition and of his unfortunate fate.[4]

[1] Parl. Writs, i. p. 389. [2] Fuller's Worthies.
[3] Parl. Writs, i. 299. 398., ii. 8—17.
[4] Dugdale's Baron. i. 518., ii. 469.; Collins's Peerage, vii. 89.

## CAEN, JOHN DE.

? KEEPER, 1298.

THERE can be little doubt that John de Caen (Cadomo) was one of the clerks in the Chancery. He is mentioned in December, 1292, as present on John de Langton's being appointed chancellor[1]; and on four different occasions his name subsequently appears in connection with the Great Seal. On March 15, 1298, John de Langton, on retiring for a time from court, left it, under his own seal, with Master John de Craucombe, Master John de Caen, and William de Byrlay till his return[2]; and on December 18 of the same year, another record states that the three delivered it into the king's wardrobe, to be taken to the chancellor.[3] Although it is improbable that they had possession of the Seal during the whole of this interval, for the reasons mentioned under William de Byrlay, yet it is certain that on October 3, John de Caen was acting in the Exchequer as *locum tenens* for the chancellor.[4]

Twice also in the year 1302, viz., on August 23, on the resignation of John de Langton; and on October 30, when his successor, William de Greenfield, was sent abroad on a mission, the Seal was delivered to Adam de Osgodby, the keeper of the Rolls, to be kept by him under the seals of John de Caen, William de Byrlay, and Robert de Bardelby. On the first of these occasions, they held it till the vacancy was supplied, on September 30; and on the last, the chancellor was only absent twelve days, returning on December 11.[5]

When William de Hamilton was constituted chancellor in

[1] Rot. Claus. 21 Edw. I., m. 10.
[2] Hardy's Catalogue, 14, 15.
[3] Rot. Claus. 27 Edw. I., m. 18.
[4] Madox's Exch. i. 421.
[5] Rot. Claus. 30 Edw. I., m. 6. 52.; Ibid. 31 Edw. I., m. 18.

December, 1304, John de Caen's name was not among those who were directed to keep the Seal till his arrival [1]; but he was a receiver of petitions in the parliament at Westminster in September, 1305, 33 Edward I., and was also summoned to that held at Carlisle in January, 1307 [2]; and in the next reign as late as February, 1310, 3 Edward II.[3]

## CAMBHOU, WALTER DE.

JUST. ITIN. 1293.

AMONG the pleas of the crown at Newcastle in 14 Edward I., Walter de Cambhou is mentioned as a keeper of the tallies of the Exchequer.[4] He was appointed a justice itinerant in Tindale in 21 Edward I.[5], being at that time custos of the castle of Baumburgh[6]; but he does not appear to have acted afterwards. In that year, he and Isabella his wife levied a fine of considerable property in Colwell in Northumberland, in favour of their son William de Cambhou and his heirs, and in failure thereof to the right heirs of Isabella: and in a plea of Michaelmas term, 19 Edward II., it is shown that both William and his brother John (who was in the king's service in 26 Edward I.[7]) died without heirs, and that Emma, the wife of Robert de Coventre, the grand-daughter, through a daughter of Isabella, was entitled to the estate.[8]

Walter was elected one of the knights of the shire for Northumberland in 24 Edward I.[9]; and died in the same year.[10]

[1] Rot. Claus. 33 Edw. I., m. 22.
[2] Rot. Parl. i. 182. 189.
[3] Parl. Writs, vol. i. div. i. 42.
[4] Rot. Parl. i. 122.
[5] Dugdale's Chron. Series.
[6] Abbrev. Rot. Orig. i. 78.
[7] Madox's Exch. ii. 219.
[8] Abbrev. Placit. 354.
[9] Parl. Writs, i. 39.
[10] Abbrev. Rot. Orig. i. 94.

CANTERBURY, ARCHDEACON OF. *See* J. DE LANGTON.

## CARLETON, WILLIAM DE.

B. E. 1286.

*See* under the reign of Edward II.

## CAVE, HUGH DE.

JUST. ITIN. 1293.

HUGH DE CAVE in 5 Edward I. was clerk to Ralph de Hengham, chief justice of the King's Bench, as appears by a grant of lands to which the chief justice's seal was affixed in his presence.[1] In 21 Edward I., 1293, he was the last named of four justices itinerant assigned for the county of Surrey[2]; and he was among the justices summoned to the parliament of August, 23 Edward I.[3], in which year he is mentioned as acting also at Tamworth.[4] He and his brother, I presume the undernamed John, in 15 Edward I., had a grant of land at Cokefrueddinge in Staffordshire, from Alwyn de Norton and his wife.[5]

## CAVE, JOHN DE.

? JUST. K. B. 1283.

A JUSTICIER of this name has already been noticed under Henry III., whose judicial life commenced in 1254, and terminated in 1261. Dugdale inserts a John de Cave as having been appointed a justice of the King's Bench in 1283, 11 Edward I. Although there is no absolute impossibility that he may have been the same person, the lapse

[1] Dugdale's Orig. Jurid. p. 94.
[2] Parl. Writs, i. 29.
[3] Dugdale's Chron. Series.
[4] Abbrev. Rot. Orig. i. 92.
[5] Abbrev. Placit. 213.

of time renders it very improbable. Whether he were so or not, I can find no subsequent record of his name in which his connection with the courts is recognised.

He appears to have been the brother of the last-mentioned Hugh de Cave, and to have had grants of land made to him by various persons in 11, 15, 16 Edward I., and 2 Edward II., in Shropshire, Staffordshire, Gloucestershire, and Yorkshire.[1]

## CHESTER, PETER DE, PROVOST OF BEVERLEY.

B. E. 1284.

*See* under the Reign of Henry III.

PETER DE CHESTER is another of the justices itinerant whose duties on his iter in 54 Henry III., 1270, were confined to pleas of the forest. His name next appears as a baron of the Exchequer, to which he was appointed in 12 Edward I., 1284, and he continued to act till 1288.[2] In 1282 he received the provostship of Beverley, and as his successor was named in 1298, it may be presumed that his death occurred about that time.[3]

CHICHESTER, BISHOP OF. *See* J. DE LANGTON.
CHICHESTER, DEAN OF. *See* W. DE GREENFIELD.

## CLIFFORD, ROGER DE.

? JUST. ITIN. 1280.

*See* under the Reign of Henry III.

ROGER DE CLIFFORD traced his descent from Richard Duke of Normandy, the grandfather of William the Conqueror. Richard's third son, called Ponce, was Earl of Arques and

[1] Abbrev. Placit. 213. 215. 275. 305.
[2] Madox's Exch. ii. 322. [3] Dugdale's Monast. vi. 1307.

Thoulouse, and accompanied his nephew Duke William into England. His son Richard Fitz-Pontz, by his wife Maud, daughter of Ralph de Toney, became lord of Clifford Castle in Herefordshire, and left a son, Walter, who assumed that surname.[1] Walter's grandson, Roger, married Sibilla, daughter and heir of Robert de Ewyas and widow of Lord Tregoz; and by her had the subject of the present notice, who at his father's death, in 16 Henry III., 1231, was a minor.[2] He attended the king in his expedition into France in 43 Henry III. For a short time he joined the rebellious barons, but, returning to his duty, he gave effective assistance to his sovereign, both at the siege of Northampton and in Wales, and in the decisive victory at Evesham in 1265. In the next year he was made justice of the forests south of the Trent, the duties of which he performed till August 1, 1270, 54 Henry III., when he went to the Holy Land, and was named one of the executors of the will which Prince Edward made there.[3] His son, Roger junior, was appointed justice of the forests in his stead.[4] According to Dugdale's list he was placed, in the year previous to his retirement, at the head of the justices itinerant visiting Rutland, and five other counties; and again held the same position in 8 Edward I., 1280. On the last occasion his commission was certainly confined to pleas of the forest only; and it seems most probable that those of the former iter did not extend beyond the same object.

His bravery and experience in military affairs obtained for him many important governments; among which were, at various times, the custody of the castles of Marlborough, Ludgershall, Gloucester (with the sheriffalty of that county),

[1] This Walter was the father of Fair Rosamond.
[2] Excerpt. e Rot. Fin. i. 219.
[3] Testamenta Vetusta, 8.
[4] Excerpt. e Rot. Fin. ii. 520.

and Erdesley in Herefordshire. His last office of trust and responsibility was justice of North Wales, to which he was appointed in 8 Edward I.; and his severity in the execution of its duties is said to have induced David, the son of the Prince of Wales, to break out into open hostility. He was attacked by the Welsh in the castle of Hawardyn in 10 Edward I., and taken prisoner[1]; and in a skirmish that followed in the next year, his eldest son, Roger junior, was unfortunately slain on November 6, 1282. His own death occurred in 14 Edward I., 1286, when he was succeeded by his grandson Robert, the son of Roger junior.

The name of his first wife is not recorded: but his second, whom he married a few years before his death, was the Countess of Lauretania, who survived him.[2]

Robert, his grandson, was summoned to parliament from 28 Edward I.; and his descendants enjoyed the title till 1525, when Henry Clifford, the then baron, was created Earl of Cumberland. By the death of the third earl in 1605 without male issue, the earldom devolved on his brother; on the death of whose son in 1643, it finally became extinct. The barony, however, fell to his daughter Anne, successively the wife of Richard Sackville, Earl of Dorset (by whom she had two daughters), and of Philip, Earl of Pembroke. The future succession to the barony is remarkable for the frequency with which it fell into abeyance. The claim made to it by Anne was not decided till 1691, when her grandson, Thomas Tufton, Earl of Thanet, succeeded in establishing his title to it. At his death in 1729, leaving five daughters, a second abeyance occurred among them; which was terminated in 1734 by a confirmation of the barony to the third daughter, Margaret, the wife of Thomas Coke, Earl of Leicester, on whose death without issue in 1775, there was

[1] Parl. Writs, i. 222.

[2] Dugdale's Baronage, i. 335.

a third abeyance among the descendants of the four remaining daughters. This was decided in 1776 in favour of Edward Southwell, the grandson of Catherine, the eldest daughter. Edward Southwell's son died in 1832 without issue; by which the barony was a fourth time in abeyance among the issue of his three sisters. This was terminated by William IV., in the following year, in favour of the present Baroness de Clifford (then Mrs. Russell), the heir of the eldest daughter, Catherine.

The third son of Roger, the fifth Lord de Clifford, was Sir Lewis Clifford, a knight in the reign of Edward III.; from whom, in regular descent, came Thomas (son of Hugh Clifford, of Ugbrooke, in Devonshire), whom Charles II. elevated to the peerage, April 22, 1672, by the title of Baron Clifford of Chudleigh, and his lineal descendant, the seventh lord, still enjoys it.[1]

## COBBEHAM, JOHN DE.

Justr. ? K. B. or C. P. 1272. B. E. 1276.

*See* under the Reign of Henry III.

John de Cobbeham, the third in succession of the same family who occupied the judicial bench, was grandson of Henry de Cobbeham. the justice itinerant, and eldest son of John de Cobbeham, the justicier in the reign of Henry III.[2] He was made constable of Rochester Castle so early in life that he was called the young constable; and was entrusted with the sheriffalty of Kent for four years from 44 Henry III. His seat was at Monkton, in the Isle of Thanet in that county.[3] In 52 and 55 Henry III., 1268, 1271, he acted as a justice itinerant for Surrey and Kent[4]; and was advanced to the

[1] Nicolas's Synopsis of the Peerage; Burke's Peerage.
[2] Dugdale's Baronage, ii. 65. [3] Hasted's Kent, i. 181., iii. 407.
[4] Dugdale's Chron. Series.

bench at Westminster in 54 Henry III.; from February in which year, 1270, till July in the following, there are frequent entries of payments for assizes to be held before him.[1] In the former of these years he had a grant of 40*l.* for his salary; and Dugdale, who quotes a Liberate Roll, places him at that time among the judges of the Common Pleas.

The same writer, on similar authority, inserts him as a judge of the King's Bench in 2 Edward I., and then in 4 Edward I. removes him again to the Common Pleas. It is difficult, however, to fix precisely from the Liberate Rolls the court to which judges are attached, especially as the mode of designating them was then scarcely fixed. There is, therefore, probably an error in one or other of these appropriations. In the latter year he was certainly constituted a baron of the Exchequer, the mandate for which is dated June 6, 1276, with a salary of forty marks per annum[2], and there are several records showing that he continued in that office during the remainder of his life.[3] By an entry in the Year Book of Hilary, 28 Edward I., 1300, it appears that he was authorised to stay at home at his pleasure, and to come to the Exchequer and remain there when he would. This license was no doubt granted to him in consequence of bodily infirmity, as he died in the same year.[4]

The Liberate Roll of 3 Edward I. m. 2., directs the payment to him of a fee or pension as one of the king's serjeants[5], an entry which it is difficult to explain, except on the presumption that it was an arrear due to him in that character before he was raised to the bench. In 16 Edward I., while he was a baron of the Exchequer, we find him going the circuit into Dorsetshire, and in the next year taking an assize in Essex.[6]

[1] Excerpt. e Rot. Fin. ii. 505—543.
[2] Madox's Exch. ii. 56. 62.
[3] Ibid. i. 291. 357., ii. 20. 255. 265.
[4] Year Book, Part I. 40; Cal. Inquis. post mortem, i. 156.
[5] Dugdale's Orig. Jurid. 110.
[6] Abbrev. Plac. 218.

He was summoned among the justices to most of the parliaments from 4 to 28 Edward I.[1]

He was twice married. His first wife was Joane, the daughter and heir of Sir Robert de Septvans, by whom he left two sons, Henry and Reginald: his second wife was named Methania.[2] The succession of the family has been already traced under Henry de Cobbeham in the last reign.

## COLUMBIERS, MATTHEW DE.

? Just. Itin. 1280.

*See* under the Reign of Henry III.

Matthew de Columbiers, or Columbariis, is stated by Dugdale to belong to the noble family of that name flourishing at this time, but in what manner is not mentioned.

It is evident, however, that he includes in the history of one Matthew the facts which relate to several individuals, creating a terrible confusion. He makes him governor of Winchester Castle in 1 John, 1199, when it is to be presumed he was not quite a boy;—marries him to Maude, daughter of Eudo de Morevill, in 22 Henry III., 1237; names him as justice itinerant in 55 Henry III., 1268; and kills him in 1 Edward I., 1272, making his brother Michael his heir, who he afterwards states died in 19 Henry III., 1234, thirty-eight years before him. It seems probable that these were four individuals; that the Matthew, who was governor of Winchester, was the father of him who married Maude de Morevill; that the second Matthew was succeeded by Michael, his brother, who married Avicia, daughter of Elias Croc; and that they were the parents of the Matthew who is the subject of the present notice.

By the Fine Roll it appears that he did homage as the heir

[1] Parl. Writs, i. 6—83.

[2] Hasted's Kent, iii. 408.

of his mother Avicia de Columbariis on her death in October, 1259, 43 Henry III., for all the lands she held in capite, together with the bailiffwick of the forest of Cette (Chute) in Wiltshire.[1]

In the following year he was constituted governor of the castle of Salisbury, and soon after joined the rebellious barons, by whom, after the battle of Lewes, he was made governor of Rockingham Castle. He availed himself of the Dictum de Kenilworth to make his peace, and was appointed warden of the forests south of the Trent.[2] Although Dugdale introduces him as an ordinary justice itinerant in 53 Henry III., 1268, it seems more probable that his duties on that occasion were confined to the trial of pleas of the forest, as well on account of his above-mentioned appointment, as because the commission was headed by Roger de Clifford, the chief justice of the forests. If Dugdale's statement, that this Matthew died in 1 Edward I., be correct, which is not improbable[3], there must have been still another Matthew, who was chief assessor in Hampshire of the Fifteenth granted in 3 Edward I.[4], and one of the king's butlers in the following year[5], to whom was committed in the sixth year the office of one of the king's chamberlains, and of gauger of the wines sold in England.[6] He was a justice itinerant of the forests in 8 Edward I., 1280[7], and his death is recorded in 10 Edward I., when his brother Michael did homage for the lands he held in capite.[8] To make the difficulty still greater, there is among the records a roll entitled "Compotus Mathæi de Columbariis Camerarii vinorum," from Michaelmas at the end of the ninth year to the same feast in the thirteenth; and a Matthew is again mentioned as king's butler in 18 Edward I.[9]

[1] Excerpt. e Rot. Fin. ii. 313.
[2] Dugdale's Baronage, i. 633.
[3] Cal. Inquis. post mortem, i. 53.
[4] Parl. Writs, i. 3.
[5] Devon's Issues Exch. iii. 92.
[6] Abbrev. Rot. Orig. i. 31.
[7] Dugdale's Chron. Series.
[8] Abbrev. Rot. Orig. i. 41.
[9] Second Report, Public Records, Appendix, ii. 55.; Cal. Rot. Pat. 54.

COVENTRY, ARCHDEACON OF. *See* JOHN DE KIRKEBY.

## CRAUCOMBE, JOHN DE, ARCHDEACON OF YORK.

? KEEPER, 1298.

MASTER JOHN DE CRAUCOMBE was probably the son of Godfrey de Craucombe, who served King Henry III. as seneschall.[1] He was evidently a clerk in the Chancery, and, like most of his fellows, an ecclesiastic, sharing in the dignities usually distributed among that class of officers, by being made archdeacon of the East Riding of Yorkshire. This preferment he was possessed of in 1288[2], and a letter is extant from him under this title, and in the character of vicar-general to the Archbishop of York, addressed to the king in 1292, praying the removal of certain laymen, who had seized the church of Bonigton.[3]

The great seal was deposited in his hands and in those of Master John de Caen and William de Byrlay during the temporary absence of the chancellor, John de Langton, which commenced on March 15, 1298[4], and by another entry we find that it was in their possession on December 28 in the same year[5]; but I have already shewn, under William de Byrlay, that it could not have remained with them during the whole interval. He was probably ill, when on August 23, 1302, a similar disposition of the great seal was made, as his name was omitted, for he still continued to be summoned to the parliament among the clerks of the Chancery till February, 1305, 33 Edward I.[6]

[1] Madox's Exch. i. 63.
[2] Le Neve, 327.
[3] Seventh Report Pub. Rec., App. ii. 255.
[4] Hardy's Catal. 14.
[5] Rot. Claus. 27 Edw. I., m. 18.
[6] Parl. Writs, i. 138.

## CREPPING, RICHARD DE.

? JUST. ITIN. 1286.

RICHARD DE CREPPING was of a Yorkshire family[1], and, it seems probable, the son of Robert de Crepping, who died in 8 Edward I.[2], having for several years in the reign of Henry III. been one of the king's escheators beyond the Trent[3], and in the forty-ninth year of that reign a justice of the Jews.[4] Richard can scarcely be considered to have been a regular justice itinerant, as he only acted in reference to pleas of the forest, in Lancashire and Nottinghamshire, in 14 Edward I., 1286.[5] He was returned as knight of the shire for York in 18 Edward I.[6] A John de Crepping, who may have been his son, was made sheriff of Yorkshire, and custos of the castle of York, in 1 Edward II.[7]

## CRESSINGHAM, HUGH DE.

JUST. ITIN. 1292.

HUGH DE CRESSINGHAM was an officer of the Exchequer. In 10 Edward I. he went to Chichester, and took bail for several persons charged with certain transgressions against the property of the abbot of Ramsey[8]; and in the eighteenth year he is called seneschall of the queen, and was one of her bailiffs for the manor of Haverford.[9] In 20 Edward I., 1292, he was appointed with two others to investigate and audit the debts due to Henry III.[10], and in that and the three following years was at the head of the justices itinerant

[1] Rot. Parl. i. 77.
[2] Excerpt. e Rot. Fin. i. & ii.
[3] Dugdale's Chron. Series.
[4] Madox's Exch. ii. 144.
[5] Rot. Parl. i. 80. 33.
[6] Cal. Inquis. post mortem, i. 69.
[7] Madox's Exch. i. 234.; ii. 319.
[8] Parl. Writs, i. 21.
[9] Abbrev. Placit. 274.
[10] Madox's Exch. ii. 291.

for the northern counties.[1] Being also, as usual, of the ecclesiastical profession, he held about this time the parsonage of Doddington, and the rectory of Chalk in Kent.[2]

When the king defeated the Scotch and Baliol renounced the throne in 1296, Cressingham was appointed treasurer of that country, and, on the disorders which followed Edward's departure, was commanded not to scruple to spend the whole money in the exchequer to put them down. Proud, ignorant, and violent, he made himself hateful to the Scots by his oppressions; and on the rising of Wallace in the following year, preferring the cuirass to the cassock, he joined the Earl of Surrey in leading the royal army to Stirling. Wallace left the siege of Dundee, in which he was engaged, and by a rapid march drew up his army on the other bank of the river Forth before the arrival of the English forces. By Cressingham's rashness the latter were led over the bridge, and were terribly defeated, he being among the first who fell. "So deep was the detestation in which his character was regarded, that his body was mangled, the skin torn from his limbs, and in savage triumph cut to pieces." It is said that Wallace ordered as much of his skin to be taken off as would make a sword-belt; a story which has been absurdly extended to its having been employed in making girths and saddles.[3] The Scots called him "non thesaurarium sed trayturarium regis."[4] He held the town of Hendon and land in Finchley in Middlesex, with the manor of Coulinge in Suffolk.[5]

[1] Dugdale's Chron. Series; Year Book, i. 33.
[2] Hasted's Kent, iii. 471.
[3] Tytler's Scotland, i. 123—143.
[4] Triveti Annales, 366, *note*.
[5] Cal. Inquis. post mortem, i. 134.

## CRESSY, WILLIAM DE.

JUST. ITIN. T. 1304.

HUGH DE CRESSY, whom I have already noticed as a justicier under the reign of Henry II., was the ancestor of this William de Cressy, whose father and mother were Stephen de Cressy, and Sibylla, the daughter and heir of John de Braytoft.

William was summoned to attend the king on urgent affairs in the twenty-second and again in the twenty-fifth years of the reign of Edward I.: but Sir Harris Nicolas has stated reasons why these should not be considered as regular summonses to parliament; and neither he nor his descendants were afterwards summoned. He was returned as holding lands in Nottinghamshire, Derbyshire, and Lincolnshire; and when the commission of trailbaston was issued for those counties, on November 23, 1304, 33 Edward I., he was the second of the three justices then assigned. In the following April these counties were united with the northern counties, and he was released from the duty.[1]

## CROKEDAYK, ADAM DE.

JUST. ASS. 1293.

ADAM DE CROKEDAYK was one of the two justices of assize appointed in 21 Edward I., 1293, for Lincoln and nine other counties[2], and was summoned among the justices to several parliaments from the twenty-third to the thirty-third year of that reign.[3] He is mentioned in 18 Edward I. as having been guardian of Roger, the son of Robert de Hereford[4]: and in 25

[1] Parl. Writs, i. 407, 408.; Dugdale's Baronage, i. 708.; Nicolas's Synopsis.
[2] Dugdale's Chron. Series. [3] Parl. Writs, i. 29—138.
[4] Madox's Exch. i. 242.

Edward I. was assigned to assess and collect the ninth imposed for the king's confirmation of Magna Charta in Northumberland, Cumberland, Westmoreland, and Lancashire.[1] Three years afterwards he was appointed to perambulate the forests of the counties of York and Cumberland[2]; and in 31 and 33 Edward I. there are writs in his name, shewing he was still engaged in legal employments.[3] In the latter year he died, possessed of very considerable property in Cumberland.[4]

## CROKESLEY, JOHN DE.

? Just. Itin. 1292.

John de Crokesley was one of the king's escheators of the forest of Rockingham[5], and also custos of Skipton and other royal manors.[6] It was only for pleas of the forest that he was a justice itinerant in Essex, in 20 Edward I., 1292[7]; and he is mentioned as perambulating the forests in various counties till the twenty-ninth year of that reign, and as receiving six shillings a day for his expenses.[8] He died in the following year; and another John de Crokesley, who was probably his son, is recorded as connected with the king's lands beyond the Trent.[9]

## DEYNCOURT, EDMUND.

Just. Itin. T. 1305.

*See* under the Reign of Edward II.

## DORSET, Archdeacon of. *See* Thomas Bek.

[1] Rot. Parl. i. 239—241.
[2] Abbrev. Placit. 249. 254.
[3] Rot. Parl. ii. 414.
[4] Cal. Inquis. post mortem, i. 198.
[5] Dugdale's Chron. Series.
[6] Madox's Exch. i. 721.
[7] Abbrev. Rot. Orig. i. 123, 128.
[8] Parl. Writs, i. 88. 397.
[9] Parl. Writs, i. 398.

## DROKENESFORD, JOHN DE, BISHOP OF BATH AND WELLS.

? KEEPER, 1298.

THERE is no other pretence for John de Drokenesford being called keeper of the Great Seal, than that it was deposited in the king's wardrobe, during the time he was keeper of that department.* On December 28, 1298, 27 Edward I., he was merely the messenger to carry it to John de Langton, the chancellor, on his return from Rome [1]; and on the same chancellor's resignation on August 12, 1302, 30 Edward I., it was placed, as was the usual custom, under his care in the wardrobe; but with no power to use it, and eleven days after it was given to Adam de Osgodby, the master of the Rolls.[2]

He possessed the manor of Eston Crok, in the forest of Chute, and in 20 Edward I. had a licence to impark his wood of Horsley there and eighty acres in addition. In 30 Edward I. he had grants from the king amounting to 260 acres in Wolnemere and Windsor forests.[3]

He evidently had previously filled some office in the Treasury or the Exchequer, as he is mentioned in 24 Edward I., 1296, as the *locum tenens* of the treasurer; an office to which he was again appointed in 33 Edward I., 1305, in which year he is also described as pleading for the king in a suit relative to the manor of Woodhull in Bedfordshire.[4] In the first of these years he likewise held the position of keeper of the king's wardrobe, which he retained till the end of that reign, when it would appear that, in 1 Edward II., he exchanged it with John de Benstede for the office of chancellor of the Exchequer.[5]

[1] Rot. Claus. 27 Edw. I., m. 18.
[2] Ibid. 30 Edw. I., m. 8 & 6.
[3] Cal. Rot. Pat. 55. 62.
[4] Madox's Exch. ii. 324.; Dugdale's Chron. Series; Abbrev. Placit. 256. 298
[5] Madox's Exch. i. 72. 325.; ii. 71.

His ecclesiastical preferment consisted at this time of a canonry in the cathedral of Wells, and he was also a chaplain to the pope; but in the next year he was elected Bishop of Bath and Wells, and was consecrated on November 9, 1309. King Edward II. entrusted him with the care of the kingdom when he went into France in 1312; but he afterwards joined the partisans of the queen against her husband.

He is mentioned as no less attentive to the embellishment of his see, and the preservation of its privileges, than to the advancement of his kindred; but the nineteen years of his rule were continually disturbed by contests with the canons of his church. He died at Dogmersfield on May 9, 1329, and was interred in the chapel of St. Catherine in his own cathedral.[1]

## ELLESWORTH, SIMON DE.

? Just. Itin. 1292.

Simon de Ellesworth had a grant in 11 Edward I. from Simon de Torp of lands in Torveston, Bucks, with the advowson of the church there.[2] He was not a regular justice itinerant, but merely for pleas of the forest; in which he is mentioned as acting in 20 Edward I., 1292, for the county of Essex.[3] In 23 Edward I. the custody of the religious houses belonging to France in the counties of Northampton, Rutland, Cambridge, and Huntingdon, was committed to him, and in the next year he was added to the chief justice of the forests in a commission to rent out the wastes of the forests beyond the Trent.[4] In 21 Edward I. he was one of the sureties for the appearance of William de Luda, Bishop of Ely, on a complaint made against him by the Archbishop

[1] Godwin de Præsul. 375.
[2] Abbrev. Placit. 206.
[3] Dugdale's Chron. Series.
[4] Abbrev. Rot. Orig. i. 91. 94.

of Dublin [1]; and on Ellesworth's death, in 25 Edward I., the bishop returned the obligation by becoming security for the payment of his debts to the crown.[2]

ELY, BISHOP OF. *See* J. DE KIRKEBY.

ESSEX, ARCHDEACON OF. *See* R. DE LA LEYE.

EXETER, CHANCELLOR OF. *See* R. DE HENGHAM.

## EYNEFELD, HENRY DE.

JUST. ITIN. 1293.

HENRY DE EYNEFELD and John de Bosco were the two justices who, in 21 Edward I., 1293, were appointed to take assizes, &c. in Cornwall and nine other counties [3]; and they still continued to act in 24 Edward I.[4]; the former being summoned among the justices to parliament till the twenty-fifth year.[5] I know not whether he is the person of this name who was returned knight of the shire for Middlesex in 26 and 28 Edward I.[6]

## FERMBAUD, NICHOLAS.

JUST. ITIN. 1305.

NICHOLAS FERMBAUD, or FERNYBAUD, was constable of Bristol in 22 Edward I., and is named in that character as late as the thirty-third year of the reign. In that city his family was probably established, as one Reymund Fermbaud, a burgess there, was ejected out of it in the reign of Edward II.[7] In 28 Edward I. Nicholas was appointed to perambulate the forests of Gloucestershire and the neighbouring

[1] Rot. Parl. i. 112.
[2] Madox's Exch. ii. 44.
[3] Dugdale's Chron. Serles.
[4] Manning's Serviens ad legem.
[5] Parl. Writs, i. 29. 52.
[6] Ibid. 72—86.
[7] Abb. Rot. Orig. i. 82.; Rot. Parl. i. 168. 360.

counties[1]; and two years afterwards the custody of the bishoprick of Bath and Wells was entrusted to him during its vacancy.[2]

He is mentioned with William Inge as a justice taking assizes in 1305; and in the same year he was also appointed a justice of trailbaston for Essex and ten other counties, one of which was Gloucestershire.[3] He was re-nominated to the latter office in 1307, 35 Edward I.; when he was also assigned to enquire into the facts mentioned in a petition to parliament relative to the tithes of the forest of Dean.[4] He possessed considerable property at Wingrave and Rollesham in Buckinghamshire.[5]

## FISHEBURN, THOMAS DE.

JUST. ITIN. 1293.

*See* under the Reign of Edward II.

## FITZ-WILLIAM, RALPH.

JUST. ITIN. T. 1304.

THE first two justices of trailbaston, whose names appear, were Ralph Fitz-William and John de Barton. Their commission was for Yorkshire, where they both resided, and of which the former was the king's lieutenant. The date of the writ is not stated, but it is inserted in Hemingford under 1304.[6] In November of that year there is another writ addressed to these two and two others[7]; and in the next year new commissions, in which neither of them were named, were issued for all the counties of England, except those in the home district.[8] It is therefore probable that the offences

[1] Parl. Writs, i. 398.
[2] Abb. Rot. Orig. i. 121.
[3] N. Fœdera, i. 970.
[4] Rot. Parl. i. 161. 200. 218.
[5] Abbrev. Placit. 222. 276.
[6] Hemingford, ed. Hearne, 208.
[7] Parl. Writs, i. 407.
[8] N. Fœdera, i. 970.

which these commissions were intended to suppress, were at first supposed to be confined to the northern counties, and that the original appointments were therefore limited to that locality; but that when they were found to be of a more serious nature, and more universally extended, new commissions were issued to meet the emergency, with larger powers and more experienced judges.

Ralph Fitz-William was a son of William Fitz-Ralph of Grimsthorp in Yorkshire, by Joane, daughter of Thomas de Greystock. In 24 Edward I. he succeeded his brother, Geoffrey Fitz-William, in his lands, and was one of the barons summoned in the following year to join the king's armies in Scotland. He served with so much zeal and valour in those wars, that he was constituted capitaneus of the garrisons and fortresses in Northumberland, lieutenant of Yorkshire, and lord of the Marches, in which character, no doubt, the commission of trailbaston was directed to him. In 28 Edward I. he was present at the siege of Carlaverock, and was engaged in the Scottish wars to the end of the reign.

Under Edward II. he was employed in the same manner, and was made governor of Berwick-upon-Tweed and of Carlisle. In the third year of that reign he was one of the ordainers to regulate the king's household and government, and was frequently appointed, in 8 Edward II., to take inquisitions as to wrecks and otherwise. The last mention of him is as one of the triers of petitions in the parliament of the following year, February, 1316.[1] According to Dugdale he died about the feast of All Saints (November 1) in that year, which would be 10 and not 9 Edward II., as he calls it; and this agrees with the parliamentary writs and inquisitions post mortem.[2] He was buried in Nesham Abbey, Durham,

[1] Rot. Parl. i. 288. 304. 306. 342. 350. [2] Cal. i. 282.

among the ruins of which a monumental effigy has been discovered, which is supposed to be his.[1]

The barony of Greystock was settled upon him by his mother's nephew, John, the last lord of that name, upon whose death, in 1305, he succeeded to it.

By his wife Margery, the daughter and one of the coheirs of Hugh de Bolebec, and widow of Nicholas Corbet, for the king's licence to marry whom he paid 100 marks in 10 Edward I.[2], he had two sons; William, who died in his father's lifetime, and Robert, who succeeded him, and died in 1317. His descendants assumed the name of Greystock, and held the barony till 1487, when the then lord dying without issue male, it was, by the marriage of his granddaughter, united to that of Dacre of Gillesland till 1569, when it fell into abeyance among the sisters of George, the fifth Baron Dacre.[3]

## FRENINGHAM, RALPH DE.

Just. C. P. 1275.

Ralph de Freningham was a canon of St. Paul's; and fines were levied before him, as a justice of the Common Pleas, from Michaelmas, 3 Edward I., 1275, to Trinity, 6 Edward I., 1278.[4] He died in 15 Edward I.[5], and his descendants apparently resided at East Farleigh, in Kent.[6] One of them, of the same names, was sheriff of Kent in 17 Edward II.[7]

[1] Siege of Carlaverock. p. 162.
[2] Madox's Exch. i. 466.
[3] Dugdale's Baronage, i. 740.; Nicolas's Synopsis.
[4] Dugdale's Orig. 21. 44.
[5] Parl. Writs, i. 623, *note*.
[6] Third Rep. Pub. Rec., App. ii. 209.
[7] Abb. Rot. Orig. i. 279.

## FULCON, ROBERT.

JUST. C. P. 1272.

*See* under the Reign of Henry III.

ALTHOUGH Dugdale does not introduce Robert Fulcon until 55 Henry III., commencing with a patent dated May 15, 1271, appointing him a justice of the Common Pleas, there are frequent entries of assizes to be held before him, proving that he was raised to the bench as early as September, 1267, 51 Henry III. As the fines mentioned by Dugdale do not commence earlier than the former date, it is not improbable that Robert Fulcon sat in the King's Bench for the intervening period. These entries of assizes before him are more numerous than before most of the other judges, and they extend almost to the very day of King Henry's death. [1]

That he was continued in his office on the accession of Edward I. appears from fines being levied before him till about Michaelmas in the second year of this reign.[2] After that date he is not mentioned otherwise than as a justice itinerant. In this character he acted in Hampshire in 6 Edward I., in Devonshire in 8 Edward I., in Wiltshire in 9 Edward I., in Cornwall in 10 Edward I., and in Hertfordshire in 15 Edward I.[3] There is no reason, however, to doubt that he sat on one of the benches at Westminster during the same period. He acted as assessor in Berkshire for the fifteenth granted in 11 Edward I.[4]

[1] Fin. ii. 460—590.
[2] Dugdale's Orig. 42.
[3] Rot. Parl. i. 4. 186.; Abbrev. Placit. 202.; Dugdale's Chron. Ser.
[4] Parl. Writs, i. 12.

## GIFFARD, GODFREY, Archdeacon of Barnstaple, Bishop of Worcester.

Just. Itin. 1277.

*See* under the Reign of Henry III.

Bishop Godwin[1] says that Godfrey Giffard was near to the king in blood, and Richardson, his editor, adds that he was the brother of Walter Giffard, Archbishop of York, already noticed as chancellor in the reign of Henry III. It is not improbable that he may be the Geoffrey (Galfridus) there mentioned as Walter's brother; but I have not discovered any evidence of the royal connection.

On November 6, 1265, he was collated Archdeacon of Barum (Barnstaple)[2]; but it does not appear that he ever held the archdeaconries of Wells or York, as stated by Godwin and Richardson. On the 9th of the following May he occupied the post of chancellor of the Exchequer; and in the next year also, when he had permission to appoint a substitute to act during his absence.[3]

In the same year, 51 Henry III., 1266, he was appointed chancellor of England, in the room of his brother, Walter Giffard, probably soon after that prelate's translation from the see of Bath and Wells to that of York. In June, 1268, he was elected Bishop of Worcester, and continued chancellor till the 29th of October following.[4]

When certain grievances were brought forward "a Burgensibus Scholaribus Oxon." in 56 Henry III., he and Roger de Mortuo Mari were appointed commissaries to enquire into them: and in 6 Edward I., 1278, he was at the head of the justices itinerant for the counties of Hereford, Hertford, and Kent.

[1] Godwin de Præsul. 461.
[2] Le Neve, 98.
[3] Madox's Exch. i. 476.; ii. 52.
[4] Rot. Pat. 53 Hen. III., m. 20.

He died on January 26, 1301, 29 Edward I., having presided over his see nearly thirty-three years; during which period he greatly ornamented his cathedral, and finished the castle of Hartlepool, which his predecessor, Walter de Cantilupe, had begun. He was a man of high spirit, overbearing, and litigious, and made his visitations burthensome by the extent of his retinue, which amounted to nearly a hundred horse.[1]

## GISELHAM, WILLIAM DE.

JUST. C. P. 1290.

WILLIAM DE GISELHAM probably took his name from the place so called in Suffolk. On several occasions from 7 to 14 Edward I. he is described as the king's attorney; and in the tenth year both he and Gilbert de Thornton are designated "narratores pro rege." Other persons also during some of the same years were distinguished by the same title[2]; so that it is difficult to determine whether any one of them was what we now call the attorney general, or whether different persons were not employed to conduct the king's business in separate counties. In 9 Edward I. he was called to the degree of king's serjeant at law: but it should be observed that all who are noticed at this time as of the degree of the coif seem to have been so designated; and that it is doubtful whether the modern distinction then existed.

When Edward I. purified the bench, in 1289, of those members who had disgraced it, William de Giselham was constituted one of the new judges of the Common Pleas; and fines were levied before him from the octaves of the Purification, 18 Edward I., 1290, till the octaves of St. Martin, 21 Edward I., 1292.[3] In the following January he came to an

[1] Chambers's Illustrations of Worcestershire.

[2] Dugdale's Chron. Ser.; Parl. Writs, i. 382.; Abbrev. Placit. 273, 274. 304.

[3] Dugdale's Orig. 44.

untimely end; but I can find no other particulars of his death than are contained in a letter written by William de Wereminster to John de Langton, the chancellor, in which he simply communicates to him that William de Giselham had been killed. The date is ascertained by the same letter announcing the election of William de Marchia to the bishoprick of Bath and Wells, which took place on January 30, 1293.[1]

## GRAS, NICHOLAS LE.

Just. Itin. 1285.

In the "Chronicon Petroburgense," published by the Camden Society, we have a copy of the writ by which the five justices itinerant into Northamptonshire were appointed, on August 3, 1285, 13 Edward I. The last of them is Nicholas le Gras, whose name is omitted in Dugdale, although he mentions the other four, viz. John de Vallibus, William de Saham, Roger Loveday, and John de Metingham. They sat at Northampton on the morrow of St. Michael, and for ten weeks afterwards.[2]

Nicholas le Gras was appointed sheriff of the counties of Surrey and Sussex in 8 Edward I., and held the office for five years. The castle of Odyham, in Hampshire, was also committed to his charge in 10 Edward I.[3]

He was possessed of the manors of Renger in Terling and of Little Badewe in Essex, which he gave up to his brother Roger and Johanna his wife. Roger dying first, Nicholas resumed possession, but they were recovered from him, in 33 Edward I., by Sir John de Tanny, who had married Johanna, Roger's widow.[4]

[1] Seventh Rep. Pub. Rec., App. ii. 249.
[2] Chron. Petroburg. 102. 178.
[3] Abb. Rot. Orig. i. 35. 41.
[4] Abbrev. Placit. 190. 255. 266. 305.

## GREENFIELD, WILLIAM DE, DEAN OF CHICHESTER, ARCHBISHOP OF YORK.

CHANCELLOR, 1302.

WILLIAM DE GREENFIELD was born in Cornwall, but what his earlier occupations were can only be presumed from his subsequent career. From the practice that had been previously adopted by King Edward of raising the superior officers of the court to the chancellorship, it is not unlikely that he had passed his probation as a clerk of the Chancery or Exchequer. Like those officers he was of the clerical profession; like them he had been rewarded with the dignities of the church, the deanery of Chichester having, in 1299, been superadded to his canonry of York; and like them he had been summoned to the parliament from 1293, on one of which occasions he is called clerk of the council.[1]

A few weeks after the resignation of John de Langton, the king appointed him chancellor, delivering the Seal to him in the chapel of St. Radegund (Bradsole Abbey), near Dover, on September 30, 1302; whither he took it, and sealed with it at the Domus Dei there.[2] Within a month he was employed on an embassy, which occupied him from October 30 to December 11, during which time his duties were performed by Adam de Osgodby, the master of the Rolls.[3]

On December 4, 1304, he was elected Archbishop of York, received the king's assent on the 24th, and on the 29th, according to the special entry on the Roll, he declared to the council, then at Lincoln, that it behoved him to take a journey to Rome on the business of this election, and requested the king to declare his will as to the custody of the Great Seal.[4] William de Hamilton was immediately invested with the

[1] Le Neve, 60.; Parl. Writs, i. 28. 55—113.
[2] Rot. Claus. 30 Edw. I., m. 5.
[3] Ibid. 31 Edw. I., m. 18.
[4] Ibid. 33 Edw. I., m. 22.

office of chancellor, and the archbishop elect proceeded to the Roman court, where, notwithstanding the king's letters, the pontiff detained him till January 6, 1306, before he granted him consecration; and then only on the payment of 9500 marks. To relieve him from the poverty resulting from so extortionate an imposition, the clergy of his province raised the money among them by benevolence and subsidy.

The ten years of his rule were principally illustrated by his support of the knights templars in their fallen fortunes: and by his assisting at the general council held at Vienne, in 1311, where one of the highest places was assigned to him, being that next to the Archbishop of Treves.

He died at his palace at Cawood on December 6, 1315, 9 Edward II., and was buried in the chapel of St. Nicholas in his own cathedral. He had the character of an eloquent man and an able statesman, with a sufficiency of learning: and his library was extensive enough to be worthy of a separate bequest to St. Albans abbey.[1]

## GULDEFORD, HENRY DE.

Just. Itin. 1304. Just. C. P. 1305.

## GURDON, ADAM.

Just. Itin. 1280.

Adam Gurdon is mentioned in 16 Henry III., 1231, as one of the bailiffs of Alton in Hampshire.[2] He died in 38 Henry III., and was the father of the subject of the present notice, who married Custancia, the daughter and heir of John de Venuz, with whom he received extensive lands at Selborne in that county, together with the bailiwick of the king's forests of Wulvermar and Axiholt; paying in March, 1257,

[1] Godwin de Præsul. 685.

[2] Madox's Exch. ii. 304.

a fine of a mark and a half of gold for the king's confirmation of the grant.[1] Adam seems to have been of a litigious disposition, no less than six entries occurring in the Abbreviatio Placitorum of causes decided against him.[2] He joined the party of De Montford, and even after the battle of Evesham raised an array against his sovereign in Hampshire. Prince Edward advanced against the rebels, and coming up with them between Farnham and Alton he inconsiderately leaped over the trench that surrounded their camp before his forces could follow him. Adam met him, and after a severe fight hand to hand, was at last mastered and obliged to yield himself prisoner to the prince. Edward generously gave him his life, and eventually his liberty, and thus secured the services of a brave and grateful enemy.[3]

His lands and his office having been restored to him, he built a mansion called the Temple, which overlooked the forest. In 8 Edward I., 1280, Dugdale places him among the justices itinerant in Wiltshire; but the pleas of that iter were confined to the forest, and he was no doubt appointed in virtue of his bailiwick, as he is not mentioned upon any other circuit.

He was frequently summoned to perform military service, and in 23 Edward I. was nominated custos of the sea-shores of Hampshire, and a commissioner of array in that county and in Dorset and Wilts.

In 33 Edward I., 1305, he was elected a representative by the "communitas" of Scotland, and constituted a justice there; and died in the same year.[4]

Besides his first wife Custancia, already mentioned, he married two others; viz. Almeria, whom he divorced after having two sons; and Agnes, by whom he had a daughter,

[1] Excerpt. e Rot. Fin. ii. 252.
[2] Abb. Placit. 161, 162. 173. 177. 191. 267.
[3] Rapin, iii. 170.
[4] Rot. Parl. i. 267.; Parl. Writs, i. 161. &c.; Cal. Inquis. p. m., i. 12. 196. 212.

Johanna, to whom he left his property in Selborne, and who married Richard Achard. That estate, still called Gurdon Manor, now belongs to Magdalen College, Oxford.

I conceive that his wife Agnes was the daughter of Simon de Punde, about whose legitimacy there was a suit in 4 Edward I. It is stated that Matilda her mother was never married to Simon, but that he "aliquo tempore captus fuit per amicos Matildæ in camera fornicando cum ipsa Matilda per quod compellabatur unum de tribus facere vel ipsam affidare vel vitam suam amittere vel ipsam Matildam retro osculare." My opinion is founded on the fact that on the decision against Agnes and in favour of Simon's sister, Adam de Gurdon, although not previously mentioned, is recorded as being "in mercy."[1]

His representatives still flourish in two families, both descended lineally from his second son Robert: one seated at Assington Hall in Suffolk; and the other at Letton in Norfolk, and Grundisburgh in Suffolk.[2]

## HAMILTON, WILLIAM DE, Archdeacon and Dean of York.

? Just. Itin. 1280. ? Keeper, 1292. Chancellor, 1304.

Where William de Hamilton was born, or who were his parents, is not mentioned; but that he had property in Cambridge appears by his petition to the parliament in 18 Edward I., to grant three messuages there in mortmain to the brothers of Mount Carmel in that city. His name is first recorded as a justice itinerant, but for pleas of the forest only, in Hampshire and Wiltshire in 8 Edward I., 1280, standing last on the list.[3] In 10 Edward I., he was custos of the bishoprick of Winchester, and of the abbey of Hide.[4]

[1] Abbrev. Placit. 267.
[2] Burke's Landed Gentry, i. 514.
[3] Dugdale's Chron. Series.
[4] Abb. Rot. Orig. i. 404.

He seems afterwards to have become a clerk in the Chancery; as it was probably in that capacity that the Great Seal was occasionally placed under his care. There is one letter addressed to him as the king's vice-chancellor, dated November 12, 1286, 14 Edward I.[1], which was during the interval that the chancellor, Robert Burnel, Bishop of Bath and Wells, was absent with the king for three years in France; and another from the regent Edmund, Earl of Cornwall, with directions relating to the Chancery. On the bishop's death, October 25, 1292, 20 Edward I., the Great Seal was delivered into the wardrobe under William de Hamilton's seal; and the record expressly states that he sealed the writs therewith for the few days that intervened before his accompanying the chancellor's remains to Wells[2], as one of his executors.[3] During a visit also of the next chancellor, John de Langton, to his prebend of Aulton juxta Cerne, from March 4 to 30, 1297, Hamilton held the Seal; and so again, when the same chancellor proceeded to Rome relative to his election to the see of Ely, and was absent from February 20 to June 16, 1299, he performed the necessary duties of the Seal in the meantime.[4]

During this period he received the usual ecclesiastical preferments which were conferred on this class of officers; being in 1292 made archdeacon of the West Riding of York, and in December 1208 appointed Dean of York, after a successful resistance of the pope's nomination of a cardinal instead of him.[5] He was also dean of the church of St. Berian in Cornwall.[6]

His name does not appear during the chancellorship of William de Greenfield, Dean of Chichester; but when Greenfield resigned the Great Seal at Lincoln on Dec. 29,

[1] Seventh Report, Pub. Rec., App., xii. 242. 251.
[2] Claus. 20 Edw. I., m. 2.
[3] Rot. Parl. i. 117.
[4] Claus. 25 Edw. I., m. 21.; 27 Edw. I., m. 18.
[5] Le Neve, 313. 322.
[6] Cole's Documents, 421.

1304, being then about to proceed to Rome, the king named William de Hamilton chancellor in his place. As he was then absent, the Seal was ordered to be deposited in the wardrobe till his arrival; and it was delivered to him on January 16, 1305.[1] He held it till his death, on April 20, 1307, when he was succeeded by Ralph de Baldock, Bishop of London.[2]

## HARWEDON, ROBERT DE.

JUST. ITIN. T. 1305.

THE last-named of the four justices of Trailbaston in the commission for Gloucestershire and ten other counties, dated on April 6, 1305, 33 Edward I., was Robert de Harwedon, who held land in the forest of Bernewood[3]; but he was not re-appointed on the issuing of the new commissions of 35 Edward I. The only further mention that I find of him is, that he acted as deputy to Hugh le Despenser, the justice of the forests south of Trent in the next reign, in the fifth year of which the custody of the Manor of Rokele in Wiltshire, belonging to the Templars, was committed to him at an annual rent of eleven pounds, ten shillings, and fourpence; and that he had a license in 7 Edward II. to inclose six acres of his wood of Shitelhangre within the bounds of the forest of Salceto.[4]

## HAUTEYN, HAMON.

JUST. ITIN. 1285.

THERE is a manor called Hauteyn's in the parish of Bernham-Broom in Norfolk, from which the family of Hamon Hauteyn

[1] Claus. 33 Edw. I., m. 22.
[2] Madox's Exch. i. 74. &
[3] N. Fœdera, i. 970.; Rot. Parl. ii. 215.
[4] Ibid. i. 321.; Abbrev. Rot. Orig. i. 184.; Cal. Rot. Pat. 78.



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no doubt was named.[1] He held some office in the Exchequer under Henry III.; and was entrusted with the sheriffalty of Lincolnshire in the forty-fourth and forty-fifth years of that reign, during which he was either so negligent or corrupt, as to incur an amercement of ten marks for delaying the execution of a writ till it was too late to act upon it.[2]

In 1 Edward I. he was one of the justices of the Jews[3], the functions of which he performed for several years, during which he acted as assessor in London and Middlesex of the fifteenth granted in 3 Edward I.[4]; and sat with Ralph de Hengham and others as a justice itinerant for the county of Suffolk in 1285, 13 Edward I.[5] In the next year, however, being called to account by the treasurer and barons of the Exchequer, and convicted of various misdemeanours, he was suspended from his office of justice of the Jews in Trinity term, 1286.[6]

## HEGHAM, ROGER DE.

B. E. 1307.

*See* under the Reign of Edward II.

## HELYUN, WALTER DE.

JUST. K. B. 1272. JUST. C. P. 1278.

*See* under the Reign of Henry III.

WALTER DE HELYUN is only noticed by Dugdale under Henry III. as a justice itinerant in the fifty-third and three following years of that reign. The Fine Roll, however, would seem clearly to show that he was at that time a justicier at Westminster, as there are continual entries of

[1] Blomefield's Norfolk, i. 636.
[2] Abbrev. Placit. 152.
[3] Pell Records, Introd. xxxiii.
[4] Parl. Writs, i. 4.
[5] Abbrev. Placit. 277.
[6] Madox's Exch. i. 254., ii. 321.

payments for assizes to be held before him from May, 1269, 53 Henry III., till July, 1272, 56 Henry III.[1] He is called "one of the king's justices appointed to hold the pleas of the lord the king" on the Fine Roll of Easter, 1273, 1 Edward I., when he received "ten marks as an advance from the king till his return to England;" and in the fourth year he was paid twenty pounds for his expenses in visiting "eleven places to expedite the king's business."[2] It would appear that he was removed to the Common Pleas in 6 Edward I., when a salary of fifty marks was assigned to him; as from that year till Trinity, 9 Edward I., 1281, fines were levied before him.[3] He was present at the parliament held at Westminster at Michaelmas, 6 Edward I., when Alexander, king of Scotland, did homage.[4] It was probably his son of the same name, who was returned as knight of the shire for Gloucester in 24 Edward I.[5]

## HENGHAM, RALPH DE, Chancellor of Exeter.

Just. C. P. 1272. Ch. K. B. 1273.

*See* under the Reigns of Henry III. and Edward II.

## HERTELPOLE, GEOFFREY DE.

Just. Itin. 1307.

*See* under the Reign of Edward II.

## HERTFORD, ROBERT DE.

Just. C. P. 1290.

Robert de Hertford was one of the judges of the Common Pleas who were placed on the bench in the room

[1] Excerpt.-e Rot. Fin. ii. 490—574.
[2] Devon's Issue Roll, 81. 96.
[3] Dugdale's Orig. 44.
[4] Rot. Parl. i. 224.
[5] Parl. Writs, i. 37.

of those who were superseded for corruption. His name appears on the fines levied between the octaves of the Purification, 18 Edward I., 1290, and Michaelmas, 21 Edward I., 1293[1]; but he is subsequently mentioned as a witness to a mandate dated at Westminster, June 24, 1294[2]; and he was summoned to the parliament which met in the following year.[3] In 34 Edward I., his two sons, Master Richard and Peter, fined forty shillings for license to enter certain tenements in Radeclyve in Notts.[4]

## HEYM, PETER.

JUST. ITIN. 1292.

NOTHING has been ascertained relative to Peter Heym, except that he was appointed, in 20 Edward I., 1292, a justice to take assizes in divers counties, and that his pleas are recorded in 23 Edward I.[5] He was probably the son of the undernamed Stephen Heym.

## HEYM, STEPHEN.

JUST. C. P. 1272.

*See* under the Reign of Henry III.

STEPHEN HEYM is inserted in Dugdale's list of justices of the Common Pleas at Easter, 55 Henry III., 1271, and writs of assize were taken in his name from the following May till the end of that reign.[6] He was continued in the office under the succeeding king, as fines were levied before him from the former date till fifteen days of St. Martin, in 2 Edward I., 1273.[7] He died early in the following year.[8]

[1] Dugdale's Orig. 44.
[2] Rot. Parl. i. 70. 391.
[3] Parl. Writs, i. 29.
[4] Abbrev. Rot. Orig. i. 148.
[5] Dugdale's Chron. Series; Abbrev. Rot. Orig. i. 92.
[6] Excerpt. e Rot. Fin. ii. 537—589.
[7] Dugdale's Orig. 44.
[8] Abbrev. Rot. Orig. i. 23.

## HOPTON, WALTER DE.

B. E. 1274. K. B. 1274.

*See* under the Reign of Henry III.

To the ancestor of this family, whose property was situate in Herefordshire and Shropshire, King William is stated to have granted the following rhyming charter:—

To me and to myne[1], to thee and to thine
While water runs and the sun doth shyne;
For lacke of heyrs to the king again.
I William, king, the third of my reign,
Give to the Norman Hunter,
To me that art both Line and Deare,
The Hoppe and Hoptoune
And al the bounds up and downe,
Under the Earth to Hell,
Above the Earth to Heaven,
From me and from mine
To thee and to thine,
As good and as faire
As ever they myne were,
To witness that this is sooth,
I bite the white wax with my tooth
Before Jugg, Marode, and Margery,
And my third son Henery;
For one bow and broad arrow
When I come to hunt upon Yarrow.[2]

Whatever may be the authenticity of this record, there is little doubt that Walter de Hopton was a descendant of the alleged grantee. In 35 Henry III., 1251, Johanna, the widow of Walter de Hopton, paid for an assize in Herefordshire.[3] These probably were the father and mother of the judge. His own wife was also named Johanna, the daughter of William de Scalariis, on his marriage with whom he received thirty shillings rent in Herefordshire, which he recovered in Michaelmas, 1274.[4]

[1] Qu. *From* me and *from* myne?
[2] Blount's Tenures, 102.
[3] Excerpt. e Rot. Fin. ii. 119.
[4] Abbrev. Placit. 187.

In the last year of the reign of Henry III., 1272, he acted as a justice itinerant in Worcestershire, and on April 24, 1274, 2 Edward I., he was one of the barons of the Exchequer. At the end of that, or the beginning of the following year, he was removed into the King's Bench, and is mentioned (erroneously under the name of William) in 6 Edward I., when he was also one of the justices itinerant into Hertfordshire and Kent. His name does not again occur till 13 Edward I., 1284, in which and in the two following years he was joined in various commissions as a justice itinerant.[1] In 15 Edward I., he and his wife, called in the record Matilda, lost some land in Shropshire in an action brought against them by the Abbot of Cumbermere.[2] He is mentioned as one of the justices itinerant who were fined for corruption by King Edward on his return to England in 1289. By his petition to the king at the parliament held at Michaelmas, 18 Edward I., 1290, he represents that he was not guilty of a charge brought against Solomon de Rochester and his companions justices itinerant in Norfolk, inasmuch as he was not associated with them till after the time when the offence was committed, nor did he know of the presentment until he was taken before the council and committed to the Tower. If, as Weever says, he was fined in the sum of 2000 marks, there were probably further charges against him. It would seem, however, that his appeal to the royal favour was successful, for in the same year the king assigned to him the lands of which his wife had died seised; and in 20 Edward I., he was impleaded of waste on property in Wemme, Shropshire, and Tirlegh, Gloucestershire.[3] From the twenty-fifth to the thirtieth year of the reign, also, he was not only summoned to perform military service in respect of his lands, but was

[1] Dugdale's Chron. Ser.; Madox's Exch. ii. 320.; Abbrev. Placit. 269.

[2] Abbrev. Rot. Orig. i. 56. 79.

[3] Rot. Parl. i. 56. 79.

twice elected as assessor of the fifteenth and other charges on the county of Hereford. In 33 Edward I. he was returned as knight of that shire[1], and in the same year he died in possession of property in Shropshire of very considerable extent.[2] This family has continued to flourish from that time at their manor of Canon, Frome Court, in Herefordshire, producing sheriffs of the county and members of parliament, and it is now represented by a lineal descendant still resident there.[3]

It seems to be more than probable that the above facts refer to two persons named Walter de Hopton; that they were father and son; and that the division should be made between the sixth and thirteenth years of the reign.

## HOWARD, WILLIAM.

Just. Itin. 1293. Just. C. P. 1297.

*See* under the Reign of Edward II.

## HYDE, THOMAS DE LA.

Just. Itin. T. 1305.

Thomas de la Hyde possessed considerable property in Cornwall, and was sheriff of that county from 29 Edward I. till 6 Edward II., as well as seneschal of the castles of Tintagel, Restormel, and Tremeton, and of the stannary and the coinage there.[4] It was doubtless on account of this position that he was placed on the commission of Trailbaston which was issued for the ten western and south-western counties on April 6, 1305, 33 Edward I.[5] He was not reappointed in the new commissions dated in 35 Edward I., being probably found more useful in his other employments,

[1] Parl. Writs, i. 107. 132. 144. 291.
[2] Cal. Inquis. p. m., i. 199.
[3] Burke's Landed Gentry, i. 590.
[4] Fuller's Worthies; Madox's Exch. iii. 44.
[5] N. Fœdera, i. 970.

of which many instances occur among the parliamentary writs. In 5 Edward II. a fine was imposed upon him for non-appearance at the Exchequer on the day of account, and his goods were ordered to be seized into the king's hands, and his person to be attached for the contempt, but the writ was discharged on its being shown that sickness prevented his attendance.[1] He died in the eighth year of that reign.[2]

## INGE, WILLIAM.

JUST. ITIN. 1293.

*See* under the Reign of Edward II.

## INSULA, JOHN DE.

JUST. ITIN. 1293. B. E. 1295.

*See* under the Reign of Edward II.

## KENDALL, HUGH DE.

? KEEPER, 1284.

BY the Patent Roll of 12 Edward I., it appears that on July 25, 1284, on the occasion of the chancellor visiting his house at Acton Burnell, he left the Great Seal under the care of Hugh de Kendall and Walter de Odyham.[3] This disposition of the Seal, however, seems to have been made to them solely as clerks of the Chancery; and Madox quotes a record, two years later in date, which plainly proves that Hugh de Kendall then held that office.[4] Among the public records there are many writs and directions addressed to them jointly, and some separately, on the business of the Chancery during July and the two following months; but

[1] Madox's Exch. ii. 237.
[2] Cal. Inquis. p. m., i. 256.
[3] Cal. Rot. Pat. 51.
[4] Madox's Exch. ii. 257.

it is to be remarked that wherever the year is named, it is 1283, 11 Edward I.[1] This proves either that there is an error in the former date, or that they were employed in the same duties in both years.

How long Hugh de Kendall had been one of the clerks of the Chancery does not appear, but he had been for several years engaged in official duties. In 1 Edward I., he received ten marks for his expenses in going to the king beyond the seas at his command[2]; two years afterwards, he was appointed assessor of the fifteenth imposed on the counties of Cambridge and Huntingdon; and in the ninth year he is styled the king's clerk.[3] In 17 Edward I., he was paid 116*s.* 4½*d.* for erecting a house in the burial ground of the Abbot of Westminster, in which the statues of King Henry and Queen Eleanor, Edward's late consort, were being made; and in 20 Edward I., he received 20*l.* in reference to some latten metal provided for the tomb of the former.[4]

## KERDESTON, WILLIAM DE.

JUST. ITIN. T. 1305.

ONE of the five justices of Trailbaston, appointed on April 6, 1305, 33 Edward I., for Norfolk and Suffolk, was William de Kerdeston[5], who had been sheriff of those counties in the twenty-fifth and twenty-sixth years of that reign, and held considerable possessions in the former of them. When the new commissions were issued two years afterwards, his name was omitted, probably on account of his death, as the frequent entries about him in the parliamentary writs cease in the thirty-fourth year.[6] They show him to have been summoned to perform military service, and to have been

[1] Seventh Report, Pub. Rec., App., ii. 240—258.
[2] Devon's Issue Roll, 87.
[3] Parl. Writs, i. 3. 9.
[4] Devon's Issue Roll, 99. 105.
[5] N. Fœdera, i. 970.
[6] Parl. Writs, i. 27—409.

variously employed in those counties. He married Margaret, daughter of Gilbert de Gant, Baron of Folkingham, part of whose property his son, Roger de Kerdeston, inherited as one of his co-heirs.[1] Roger was summoned to parliament in 6 Edward III.; but the barony, on the death of his grandson without issue, fell into abeyance between his half-sisters.[2]

## KIRKEBY, GILBERT DE.

JUST. ASS. 1293.

GILBERT DE KIRKEBY, like many of his namesakes, was connected with the courts, and is mentioned in 18 Edward I. as being put in the place, or as being the attorney of Roger de Longspee, Bishop of Coventry and Lichfield, in a proceeding he had before the parliament.[3] That his standing was a high one is shown by his being selected in 21 Edw. I., 1293, as one of the eight justices of assize then appointed, when Kent and eight other counties were assigned to him and to John de Insula.[4] He had property in Hinton and Brackley in Northampton[5]; and was sheriff of that county for five years, commencing 2 Edward I.[6]

## KIRKEBY, JOHN DE, ARCHDEACON OF COVENTRY, afterwards BISHOP OF ELY.

? KEEPER, 1278.

*See* under the Reign of Henry III.

WHETHER this John de Kirkeby is in any way connected with the justicier of those names in 11 Henry III., does not appear: as there are several places so called, these individuals

[1] Rot. Parl. i. 325.
[2] Dugdale's Baron. ii. 112.; Nicolas's Synopsis; Burke's Ext. Peerage.
[3] Rot. Parl. i. 16.
[4] Dugdale's Chron. Series.
[5] Abbrev. Placit. 269.
[6] Fuller's Worthies.

might not even have received their designation from the same locality. This John de Kirkeby was rector of the church of St. Berian in Cornwall[1]; Dean of Wymburn in Dorsetshire; a canon in the cathedrals of Wells and York; and in 1272, 56 Henry III., was appointed Archdeacon of Coventry.[2] When, on the death of Richard de Middelton on August 7th of the latter year, the Great Seal was delivered into the king's wardrobe under the seal of John de Kirkeby, to whom the king committed its custody, there is no doubt that he was either an officer of the Exchequer, or a clerk of the Chancery. He associated with him in this custody P. de Winton, the keeper of the wardrobe; and the Great Seal, secured under their several seals, was on the king's death[3] on November 16 following, delivered up by him to the king's council. There is among the records in the Tower a letter addressed to him as the king's vice-chancellor about this time.[4]

It was not till nearly six years after this that he had again possession of the Great Seal. When Robert Burnel, the chancellor, went abroad on February 11, 1278, 6 Edward I., John de Kirkeby was named as his substitute; and the same course was repeated on several other occasions during that chancellor's temporary absences; viz., on May 25, 1279, February 20, 1281, February 13, 1282, and March 1, 1283.[5] Some of these deliveries of the Seal were made by the chancellor himself, and under no special appointment from the king; and as John de Kirkeby was left to expedite the business of the Chancery in the mean time, it is manifest that he was cognizant of the duties of the office, and most probably that he was the senior clerk in the Chancery, then a

[1] Rot. Parl. i. 14. [2] Le Neve, 132.
[3] Excerpt. e Rot. Fin. ii. 575. 590.; Rot. Pat. 56 Hen. III., m. 6.
[4] Seventh Report, Pub. Rec., App., ii. 239.
[5] Lib. 6 Edw. I., m. 2.; 11 Edw. I., m. 8.; Pat. 12 Edw. I., m. 7.

place of high importance. From this he was promoted, on January 6, 1284, 12 Edward I., to the office of treasurer[1], which he filled until his death.

On July 26, 1286, he was elected Bishop of Ely, and although he had previously held so many ecclesiastical dignities, was obliged to be ordained priest before his consecration. Within four years a violent fever terminated his career, on March 26, 1290. He was buried in his own cathedral, and was succeeded in his property by a brother named William. He is charged with neglecting the care of his diocese in his devotion to the affairs of the state, and to have borne himself with too much arrogance, sinking the bishop in the treasurer. His successors, however, would not fail to bless his memory for the munificent bequest he made to them of the manor of Holborn, where their London palace was built, near the site which is now called Ely Place.[2]

There was another John de Kirkeby, who was remembrancer of the Exchequer in 19 Edward I., and who, with certain others, was appointed to receive petitions to the parliament in 1305, 33 Edward I., at the dissolution of which, he alone was authorised to give briefs to the members to receive their wages in the several counties. He died in 1 Edward II.[3]

## KNOVILL, GILBERT DE.

JUST. ITIN. T. 1305.

IT does not appear whether Gilbert de Knovill was a relative of Bogo de Knovill, a baron at this time in Shropshire; but he was sheriff of Devonshire from 21 to 28 Edward I.[4], during which time he witnessed the charter by which Isabella de

[1] Madox's Exch. ii. 36.
[2] Godwin de Præsul. 257.; Angl. Sac. i. 637.; Chron. Petroburg. 150.
[3] Madox's Exch. ii. 265—268.; Lingard's Eng. iii. 247.
[4] Madox's Exch. ii. 156. 179.

Fortibus, Countess of Albemarle and Devonshire, granted to the king the Isle of Wight, and the manors of Christchurch in Hants and Lambeth in Surrey; and was also one of her executors.[1] He was indebted to her for the manor of Batishorn in the parish of Honiton, which long remained in his family.[2]

In 31 Edward I., 1303, he was sent as a justice itinerant into the isles of Jersey, Guernsey, Alderney, and Sark; and two years afterwards was appointed one of the justices of Trailbaston into ten counties, of which Devonshire was one, and again in the thirty-fifth year.[3]

Judging from a contemporary song, he graced the seat of justice with mercy and a tender consideration for the poor.[4] In 2 Edward II. he petitioned the parliament for relief, in consequence of having received during his sheriffalty 108*l.* in a coin called pollards, which had been reduced to half their value by a royal proclamation; and the barons of the Exchequer were afterwards ordered to make him the allowance.[5] He died in 7 Edward II.[6]

## LANGTON, JOHN DE, Treasurer of Wells, Archdeacon of Canterbury, Bishop of Chichester.

M. R. 1286. Chanc. 1292.

*See* under the Reign of Edward II.

## LANGTON, WALTER DE, Bishop of Lichfield and Coventry.

? Keeper, 1292.

Mr. Hardy introduces Walter de Langton among the keepers of the Great Seal, because, on the death of Bishop

[1] Rot. Parl. i. 335, 336. [2] Risdon's Survey of Devon, 40.
[3] N. Fœdera, i. 970., called William by mistake; Rot. Parl. i. 218. 464.
[4] Wright's Political Songs, 231. See antè, p. 35.
[5] Rot. Parl. i. 273.; Madox's Exch. i. 294. [6] Abbrev. Rot. Orig. i. 203.

Burnel the chancellor on October 25, 1292, 20 Edward I., it was delivered to him as custos of the king's wardrobe, *under the seal of William de Hamilton.* If either of these is to be called Keeper, however, the latter is the more entitled to the designation; because the same record states that he sealed the writs from that time till the following Wednesday, when he accompanied the bishop's body to be buried at Wells.[1] They had no more than the temporary care of the seal, while in its usual place of deposit, till the appointment of a new chancellor, which took place on the 12th of the following December.

Walter de Langton was born at West Langton, in the county of Leicester; and was nephew of William de Langton, Dean of York. He was himself dean of the free chapel at Bruges, a canon of Lichfield, and one of the pope's chaplains. In 18 Edward I. he received permission to impark his wood of Ashle, and twelve contiguous acres in the forest of Rockingham.[2] He held the office of keeper of the wardrobe until he was raised to the treasurership of England on September 28, 1295, 23 Edward I., his salary for which was 100 marks.[3] In the following February he was elected Bishop of Coventry and Lichfield, and was consecrated on December 22, 1296, still retaining the office of treasurer.[4]

Although possessing the king's confidence and favour, his integrity and boldness in correcting the insolence of Peter de Gaveston and Prince Edward's other servants, and restraining their expenses, occasioned him much trouble and persecution. In 1301, 29 Edward I., he was charged with such heinous crimes by one Sir John Lovetot, as adultery, simony, and homicide, that the king was obliged to dismiss him till he had purged himself. For this he was compelled to take a

[1] Claus. 20 Edw. I., m. 2.
[2] Cal. Rot. Pat. 53. 55.
[3] Devon's Issue Roll, 164.
[4] Dugdale's Chron. Ser.; Madox's Exch. ii. 42.

journey to Rome, where, after great cost, he succeeded, and was not only reinstated in June, 1303, but received the strongest proof of his sovereign's conviction of his innocence, by being made principal executor of the king's will. On Edward's death, however, his persecution recommenced. He was turned out of his office, cast into prison, and a long list of charges brought against him for malversation, which were directed to be heard before William de Bereford, one of the judges. After a long imprisonment at London, Wallingford, and York, no proof could be brought against him, and he was absolved by the court in October, 1308. In 1311 he was again imprisoned on a charge of homicide, but again succeeded in confounding his accusers.

His adherence to the king against the barons was followed by his restoration to his office in March, 1321, 5 Edward II. There is a record showing, that in April, 1312, while he was presiding in the receipt of the Exchequer, taking the proffers of the accountants, Adomar de Valence, Earl of Pembroke, Humfrey de Bohun, Earl of Hereford, Sir John Botetout, and others, came there and held out threats to him if he continued to act in the office. The king, however, on this outrage being certified to him, issued his writ expressing his wonder that the bishop should omit doing the business for the threats of any man, and strictly charging him to execute his duties according to his commission.[1] He finally retired from the treasurership in September, 1314, 8 Edward II., when Walter de Norwico was appointed; and he spent the remainder of his days in the quiet exercise of his episcopal authority.

He died on November 16, 1321, and was buried in the chapel of St. Mary, which he had added to his cathedral at

[1] Madox's Exch. i. 267. This entry affords another proof of the Bishops of Lichfield and Coventry being sometimes called Bishops of Chester.

Lichfield. His benefactions to his see were numerous and munificent.[1]

## LEICESTER, PETER DE.

B. E. 1291.

THE relationship of Peter de Leicester to the undermentioned Roger de Leicester is uncertain. At the time of the disgrace of the latter, Peter was one of the justices of the Jews, for which he received an annual salary of forty marks up to Michaelmas, 18 Edward I., 1290. He had previously been an officer in the Exchequer, and was deputed in the seventh year to act for the Earl of Warwick, one of the chamberlains, in the Exchequer of Receipt. In 19 Edward I., 1291, the duties of his former office having terminated with the expulsion of the Jews from England, he was appointed a regular baron of the Exchequer, in which office he continued to act till his death in the thirty-first year of the reign[2], and was summoned among the justices to parliament up to the previous year. He left a son named Thomas, and had property at Stoke-mandeville in Buckinghamshire, at Kingsbrome and Eccleshall in Warwickshire, and at Horpol in Northamptonshire.[3]

## LEICESTER, ROGER DE.

JUST. C. P. 1276. ? B. E. 1293.

ROGER DE LEICESTER was the son of Sir Nicholas de Leicester, who possessed large estates in Cheshire, by Margaret, the daughter of Geoffrey Dutton, and widow of Robert de Denbigh, through whom, among other manors, he

[1] Angl. Sac. i. 441.; Godwin de Præsul. 318.

[2] Madox's Exch. i. 237. 254., ii. 62. 265. 300. 304. 323.

[3] Parl. Writs, i. 113.; Abbrev. Placit. 348.; Cal. Inquis. p. m., i. 183. 187. 223.; Abbrev. Rot. Orig. i. 163.

acquired that of Tabley.[1] He became a justice of the Common Pleas, with a salary of forty marks, in 1276, 4 Edward I., from Trinity in which year till Michaelmas in the seventeenth, 1289, fines were levied before him.[2] Being then removed from his office with several of his brethren for extortion and other judicial crimes, he was compelled to pay for his release from imprisonment 1000 marks[3], a sum so much less than that imposed upon some of the others, that it is to be hoped his offence was not of so deep a dye. Dugdale introduces his name again on January 2, 1293, 21 Edward I., as being then appointed a baron of the Exchequer; but both on the above account, and because in Madox's list of those who attended in the court after that date he is never mentioned, it seems not unlikely that his name was by mistake substituted for that of Peter de Leicester, who certainly was appointed about the same time, and whose subsequent attendance is regularly noted.

Peter Leicester of Tabley, his lineal descendant, was created a baronet on August 10, 1660; but the title became extinct in 1742, for the want of male heirs. A daughter, however, married Sir Peter Byrne, baronet, whose grandson, Sir John Fleming Leicester (the surname having been assumed), was created Baron de Tabley on July 16, 1826. His son George, who has taken the name of Warren, is the present Baron.[4]

## LEUKNORE, GEOFFREY DE.

JUST. ITIN. 1276.

*See* under the Reign of Henry III.

THERE was a Nicholas de Leuknore who at the time of his death, in 52 Henry III., was keeper of the king's wardrobe.

[1] Burke's Ext. Baronet. 306.
[2] Dugdale's Orig. 44.
[3] Weever, 367.
[4] Burke's Peerage.

Roger, his eldest son, succeeded him.[1] This Geoffrey de Leuknore was perhaps either his second son or his brother. There is a record in the year after Nicholas's death of a royal grant to Geoffrey of a field in Chiselhampton in Oxfordshire, with a mill late belonging to a Jew; and two years afterwards he had an additional grant of further property there.[2] He appears with three others as a justice itinerant in 39 Henry III., 1255, for that county and those of Huntingdon, Northampton, and Buckingham. The same four visited other counties in the following year; and as they are then specially designated as justices itinerant for pleas of the forest, the probability is that they were only entrusted with the same duty in the former year. This seems the more likely, from the entry of a payment to him in 41 Henry III. of nine marks and eight shillings for his expenses in going to sell the king's demesne woods.[3] He is next mentioned in the forty-fifth year, 1261, when he again acted as a justice itinerant into various counties; and in the two following years he was also engaged in the same employment. Dugdale does not introduce him at all as a regular justicier in the reign of Henry III., but it would seem that he held that position; inasmuch as from March, 1265, 49 Henry III., till September, 1271, 55 Henry III., there are numerous entries on the Rotulus de Finibus of payments made for assizes to be held before him.[4] He is only named on one other iter in Henry's reign, being that to Cornwall and Devonshire in the fifty-second year. But if he were then on the bench, he must have been removed on the death of Henry, for his name does not occur among those appointed to either court on the accession of Edward I. Dugdale, however, introduces him as a justice of the Common Pleas on

[1] Excerpt. e Rot. Fin. ii. 476. 512.; Madox's Exch. i. 269.
[2] Cal. Rot. Pat. 42. 44.
[3] Devon's Issue Roll, 33.
[4] Excerpt. e Rot. Fin. ii. 422—549.

November 2, 1276, in the fourth year: but the patent which he quotes as his authority can scarcely have been read by him; for it merely appoints Geoffrey de Leuknore and two others to be justices to hold assizes and pleas in the liberty of Dunstable. He is mentioned as a justice itinerant in 6 Edward I., with a salary of forty marks per annum; but there is no record of his acting beyond the following year.[1]

Sir Roger Lukener, knight, one of the serjeants in the reign of Queen Elizabeth, was descended from him, and the family was still existing in 1684.[2]

## LEYE, ROGER DE LA, Archdeacon of Essex, Dean of London.

B. E. 1272.

*See* under the Reign of Henry III.

Roger de la Leye was an experienced officer of the Exchequer, acquiring those royal favours and clerical dignities which were usually distributed among the high in place in that department. The custody of the lands and heir of Gilbert Daniel of Dunnesden was granted to him for a fine of 20*l.*, which he was allowed to discharge by small half-yearly instalments of five marks each; and he even obtained a respite of a year for the payment of two of them.[3] In 35 Henry III., 1251, he held the office of Remembrancer of the Exchequer, and had a grant of 20*l.* a year, until he was otherwise provided for.[4] During the contests with the barons in 48 Henry III., 1263, the affairs of the Exchequer having got into great disorder, the rents not being paid, and no baron being resident there, the king, on November 1, directed that Roger de la Leye, then Remembrancer, should fill the office of

[1] Parl. Writs, i. 382.
[2] Grandeur of the Law, 1684, p. 159.
[3] Excerpt. e Rot. Fin. ii. 65.
[4] Madox's Exch. ii. 266.

a baron there; and on the 30th of the same month commanded that he should execute the offices of treasurer and chancellor of the Exchequer until otherwise ordered. In the next year he was directed to continue to act as baron and treasurer, and a salary of forty marks was assigned to him. A treasurer and a chancellor of the Exchequer were subsequently appointed; but in 52 Henry III. the seal of that department, constituting him chancellor, was again placed in his hands, and was held by him for the three following years, when another was put in his place.

He continued one of the barons of the Court during the first two years of Edward's reign; and then was a third time raised to the office of chancellor of the Exchequer, and received a grant of 20*l.* in discharge of his expenses in the service. In the latter year, 1276, he was removed, as he is spoken of as "nuper cancellarius," and was about that time appointed Archdeacon of Essex, being so designated in the same record.[1] From that dignity he was raised, on October 25, 1283, 11 Edward I., to the deanery of London, which he held for less than two years; his death occurring on August 18, 1285.[2]

LICHFIELD AND COVENTRY, BISHOP OF. *See* W. DE LANGTON.

LINCOLN, DEAN OF. *See* P. DE WILEBY.

## LITTLEBERE, MARTIN DE.

JUST. K. B. 1273.

*See* under the Reign of Henry III.

MARTIN DE LITTLEBERE was evidently brought up to the profession of the law. So early as 31 Henry III., 1247, an

[1] Madox's Exch. ii. 28. 52. 55, 56. 112. 319, 320.; Dugdale's Chron. Ser.

[2] Le Neve, 183. 189

assize was held before him in Kent[1], but this was probably on a special occasion. It was not till July, 1261, 45 Henry III., that he was appointed a regular justicier. There is a letter among the public records addressed by him to Walter de Merton the chancellor, thanking him for past favours, and begging him to expedite his present affairs.[2] From that date assizes to be taken before him commence, and they continue without interruption till the last month of the king's reign, November, 1272.[3] In 1261 and the two following years he acted as a justice itinerant, and in the two latter he held the first place in the commissions for the counties to which he was appointed. So also in 1268, from which year till Trinity, 1272, fines were levied before him.[4] In 1269, he had the grant of a salary of 20*l.* a year. He is mentioned as a judge of the King's Bench in 1 Edward I.[5]; and Dugdale quotes a Liberate in his favour in the following year, after which his name does not occur.

LONDON, Bishop of. *See* R. de Baldock.

LONDON, Dean of. *See* R. de Baldock; R. de la Leye.

## LOVEDAY, ROGER.

Just. Itin. 1276.

The introduction by Dugdale of Roger Loveday's name among those raised to the bench of the Common Pleas on November 2, 1276, 4 Edward I., turns out to be an error, the patent quoted only constituting him and two others justices to hold assizes and pleas in the liberties of the priory of Dunstable. He was appointed a justice itinerant, with a salary of forty marks, in 6 Edward I.; and continued to act

[1] Excerpt. e Rot. Fin. ii. 9.

[2] Fifth Report, Pub. Rec., App., ii. 96.

[3] Fin. ii. 355—589.

[4] Dugdale's Orig. 44.

[5] Devon's Issue Roll, 87.

in that character till the fourteenth year of the reign, being also summoned among his fellows to attend parliament on several occasions.[1] He was one of the eight judges whom the king in the eighth year selected to inquire what were the services due from the tenants of the manor of Tavistock: and again in the twelfth year he was a commissioner of inquiry into the state of the walls, ditches, sewers, and bridges in Heyland, in Lincolnshire, and the damage done by an inundation there.[2]

His property was at Wytheresfield in Suffolk; and in 3 Edward I. he was proceeded against for having compelled William de Sprouston, by fear of imprisonment and other coercion, to execute a grant to him of lands in Sprouston and Burstall in that county, but was acquitted of the charge. He died in 15 Edward I., leaving a son named Richard. His widow, Sibilla, afterwards married William de Ormesby, the judge.[3]

## LOVEL, JOHN.

JUST. ITIN. 1292. JUST. K. B. 1294.

THERE were at this time two noble families of this name; but to which of them Master John Lovel, as he is called, belonged, does not appear. He had the living of Yling, in the diocese of London, in 18 Edward I., and complaints were made against him to the parliament by his parishioners, for undue severity.[4] He was the last but one of five justices itinerant sent into the northern counties in 20 Edward I., 1292, and two years afterwards is introduced into Dugdale's List as a judge of the King's Bench. In the various writs by which he was summoned to attend the parliament, he

[1] Parl. Writs, i. 8. 16. 382.; Chron. Petroburg. 136.; Chron. Ser.
[2] Abbrev. Placit. 205. 270.
[3] Ibid. 207. 242. 265. 307.; Cal. Inquis. p. m., i. 49.
[4] Rot. Parl. i. 60.

seems to hold that place in the twenty-third and twenty-eighth years of the reign; but in the intevening years he is called clerk of the council, and appears among those who are known to be clerks of the Chancery. In 26 and 28 Edw. I. he was one of the justices appointed to perambulate the forests of various counties, and is not mentioned after the latter date.[1]

## LOVETOT, JOHN DE.

Just. C. P. 1275.

John de Lovetot was of the noble family of that name, lords of Wirksop in Nottinghamshire; and son of Oliver de Lovetot, of Carcolston in that county, and Alicia his wife.[2] He was raised to the bench of the Common Pleas in 3 Edward I., 1275, and had a salary of fifty marks assigned to him. There are entries of fines levied before him from that year till Michaelmas, 17 Edward I., 1289: and his rolls were carried into the Exchequer in the next year.[3] At this time he was charged with extortion and other crimes committed on the judicial seat, one of which was taking a false verdict, when one of the jury differed from his fellows; and he was accordingly removed and imprisoned in the Tower, for his redemption from which he paid a fine of 3000 marks.[4] He died just before November 5, 1294, 22 Edward I., that being the date of the writ of diem clausit extremum; leaving a son, also named John.[5]

## LOUTHER, HUGH DE.

Just. Itin. T. 1307.

*See* under the reign of Edward II.

[1] Parl. Writs, i. 29—83. 397.
[2] Dugdale's Baronage, i. 569.; Thoroton's Notts. i. 235.
[3] Dugdale's Orig. 44.; and Chron. Ser.; Madox's Exch. ii. 25.
[4] Stow's London, 44.; Weever, 367.; Abbrev. Placit. 286.
[5] Parl. Writs, i. 717.

## LYTHEGRENES, JOHN DE.

JUST. ITIN. 1293.

IT seems probable that John de Lythegrenes was either a native of, or established as an advocate in one of the northern counties; his name being mentioned so early as 52 Henry III. as employed on the part of the king in a quo warranto against the mayor of Newcastle-upon-Tyne.[1] In 8 Edward I. he was appointed Sheriff of Yorkshire, and retained that office for five years[2]; and he is noticed in the parliament of 18 Edward I. as a commissioner to inquire into the liberties claimed by the priors of Tynemouth and Carlisle.[3] In 21 Edward I., 1293, he acted as one of the justices itinerant for Surrey; two years afterwards he succeeded Thomas de Normanvill as king's escheator beyond the Trent, but in the next year exchanged the office for that on this side the Trent.[4] In the twenty-sixth year, a day was given him, as late custos of the archbishoprick of York during its vacancy, to account for the issues thereof, and of the escheat of the honour of Tikehill and other lands in his custody.[5] In that year he was employed in the perambulation of the forests of the northern counties, at a stipend of six shillings a day; and was again appointed to the same duty two years afterwards[6]; being also recorded in the intervening year as a justice itinerant in the county of Kent.[7] He was still alive in January, 1301, when his name appears in the Statute De Escaetoribus, then enacted at Lincoln, as one of the king's council.[8]

[1] Abbrev. Placit. 170.
[2] Abbrev. Rot. Orig. i. 37.
[3] Rot. Parl. i. 29. 38.
[4] Abbrev. Rot. Orig. i. 89. 93.
[5] Madox's Exch. ii. 45.
[6] Parl. Writs, i. 397 398.
[7] Dugdale's Chron. Series.
[8] Statutes at Large, i. 147.

## MALET, ROBERT.

Just. K. B. 1289.

How nearly Robert Malet was connected with the noble family of that name, the elder branch of which failed for want of male issue in 1224, is not ascertained. He was amerced in 14 Edward I., for not appearing at the Exchequer with his accounts as sheriff of the counties of Bedford and Buckingham.[1] But the offence was no doubt speedily removed, for in 18 Edward I., 1289, he was appointed a judge of the King's Bench in the place of one of those who were then discharged for corruption in their office, and had a salary of 26*l.* 13*s.* 4*d.* assigned to him.[2] He is mentioned in that character as late as 23 Edward I.[3], in which year he died, and Robert, his son and heir, did homage for his lands in Buckinghamshire.[4] Sir Thomas Malet, the eminent judge of the King's Bench in the reigns of the two Charles's, whose descendant is the present Sir Alexander Malet of Wilbury House, Wiltshire, baronet, was in all probability of the same family.

## MALLORE, PETER.

Just. C. P. 1293.

*See* under the Reign of Edward II.

## MALO LACU, or MAULEY, PETER DE.

Just. Itin. T. 1305.

The first of this family, also named Peter, was a Poictevin, who, being esquire to King John, is said to have owed his

[1] Madox's Exch. ii. 237.
[2] Rot. Parl. i. 83. 85. 138.
[3] Dugdale's Chron. Series.
[4] Abbrev. Rot. Orig. i. 87, 88.

fortunes to undertaking the murder of Prince Arthur: in reward for which act Isabel, the daughter of Robert de Turnham, was given to him in marriage with all her rich possessions, principally in Yorkshire. Some doubt of this origin arises from the fact that for a period of two hundred years, during the whole continuance of the family, every succeeding lord was called by the same christian name. Had the founder been really chargeable with a crime, so justly exciting abhorrence against its perpetrator, it is difficult to suppose that his successors would have perpetuated its remembrance by a continuance of the name.

The subject of this notice was the fourth baron in succession, and the great-grandson of the first Peter. His father married Nichola, daughter of Gilbert de Gant, grandson of the Earl of Lincoln; and died about 7 Edward I., when this Peter, then only three years of age, succeeded to his inheritance[1], paying the usual baronial relief of 100*l.*

He was engaged in the Welsh and Scottish wars under Edward I., and was summoned to parliament from the twenty-third year of that reign till his death. In 29 Edward I. he signed the barons' letter to the Pope by the title of Dominus de Musgreve. In 33 Edward I., 1305, he was placed at the head of the justices of Trailbaston appointed for Lincolnshire, Yorkshire, and eight other counties, and not improbably had acted previously as a justice itinerant in some of them. On the re-issuing these commissions in 1307, he held the same place.[2]

He married Eleanor, daughter of Thomas Lord Furnival, and died in 3 Edward II., 1310, leaving his son Peter, who succeeded him. On the death of the seventh Peter in 1415 without issue, the barony fell into abeyance between his

[1] Archæologia, xxi. 209.

[2] N. Fœdera, i. 970.; Rot. Parl. i. 188. 193. 202. 216. 218.

sisters, Constance, who married first William Fairfax and next Sir John Bigot; and Elizabeth, the wife of George Salvaine.[1]

## MARCHIA, WILLIAM DE, Bishop of Bath and Wells.

? Keeper, 1290.

The Great Seal was delivered into the king's wardrobe to William de Marchia on February 24, 1290, 18 Edward I., by Bishop Burnel the chancellor, on his going to visit his diocese[2], and Mr. Hardy therefore calls him Keeper. But he was then merely an officer of the wardrobe, the usual place for depositing the seal, and was certainly a clerk in that department five years before. He was promoted to the office of treasurer at the end of the same year, with an annual stipend of one hundred marks[3]; and on the death of Burnel he was elected his successor in the bishoprick of Bath and Wells on January 30, 1293, being a canon of the latter cathedral at the time. After sitting there for nearly ten years, during several of which he continued treasurer, he died on June 11, 1302, and was buried at Wells. So great were his virtues, and so many were the miracles reported to have been performed at his tomb, that the pope was vehemently urged to canonise him. His merits, however, were not deemed worthy of that honour.[4]

## MARTIN, WILLIAM.

Just. Itin. T. 1307.

This family commenced with a Norman knight, named Martin de Tours, who acquired the lordship of Camoys in

[1] Dugdale's Baronage, i. 733.; Nicolas's Synopsis.
[2] Claus. 18 Edw. I., m. 14.
[3] Madox's Exch. ii. 323.
[4] Godwin de Præsul. 374.

the county of Pembroke, and founded there the monastery of St. Dogmaels. Willam Martin was the sixth baron, succeeding his grandfather, Nicholas, in 1282; his father, also Nicholas, having previously died. In 22 Edward I., he obtained licence for a fair at his manor of Merwood in Devonshire, and for free warren over his various lordships in that county, and in Somersetshire. He was summoned to parliament from the next year till his death; and aided the king in his expeditions against Scotland. He signed the barons' letter to the pope, under the title of Dominus de Camesio. When the justices of Trailbaston were appointed, on April 6, 1305, 33 Edward I., he was placed at the head of those sent into Cornwall and nine other counties; and so again in February 1307. His clemency and kindness to the poor during these commissions are commemorated in a Norman song of the age. Both before and after this time he is mentioned as acting in a judicial capacity, as well in civil as in criminal pleas.[1] In 4 Edward II., a writ of inquiry was addressed to him; and in 9 Edward II., he was justice of South Wales.[2]

On his death, which occurred in 1325, 18 Edward II., he left, by his wife Eleanor, daughter of William de Mohun, three children; William, who died in the following year; Eleanor, the wife of William de Columbers; and Joane, the wife of Nicholas de Audley. The son being childless, the barony is in abeyance among the representatives of the two daughters.[3]

MAULEY, PETER DE. *See* MALO LACU.

[1] Rot. Parl. i. 188. 196. 218.; N. Fœdera, i. 970.; Abbrev. Placit. 261.; Wright's Political Songs, 231. See antè, p. 35.

[2] Abbrev. Placit. 312.; First Report, Pub. Rec. 101.

[3] Dugdale's Baronage, i. 729.; Nicolas's Synopsis.

## MERTON, WALTER DE, afterwards Bishop of Rochester.

Chancellor, 1272.

*See* under the Reign of Henry III.

This eminent benefactor to learning was born at Merton in Surrey. His father was William de Merton, Archdeacon of Berks, who died about 1239; and his mother, Christina, the daughter of Walter Fitz-Oliver, of Basingstoke, where the site of their tomb has lately been discovered in the church of St. Michael. He was educated in the convent of Merton, and became one of the clerks in Chancery, with some other place in the court. As was usual with those officers, he received various ecclesiastical preferments, among which were the rectories of Potton in Bedfordshire, and Stratton; besides prebends in St. Paul's and Exeter, and, according to some, in Salisbury also.[1]

Several records show that the Great Seal was temporarily placed in his hands, no doubt as one of the clerks in Chancery, during the illness and occasional absence of Henry de Wingham, the keeper or chancellor; viz., on May 7, 1258, and on March 14 and July 6, 1259.[2]

But on July 5, 1261, when the king removed Nicholas, Archdeacon of Ely, to whom the Great Seal had been entrusted by the barons, he, without reference to their assumed authority, appointed Walter de Merton his chancellor; and on October 15 granted 400 marks for the support, not only of himself, but of the Chancery also.[3] In the two following years there are several letters among the public records addressed to him in that character, and one from the king, thanking him and Philip Basset for their attention to his

[1] Chalmers's Biog. Dict.

[2] Rot. Pat. 42 Hen. III., m. 29., and 43 Hen. III., m. 6. & 1.

[3] Ibid. 45 Hen. III., m. 8.; Liberate, 45 Hen. III., m. 3.

affairs.[1] He was superseded on July 12, 1263, by his predecessor, Nicholas de Ely.

That he was not reinstated in the following year, when the king triumphed at Evesham, arose, probably, from his being then actively engaged in the foundation of the college, which has made his name familiar from that time to the present. It would appear, however, that he acted as a justicier, as there is an entry of a payment made for an assize to be held before him on December 10, 1271, 56 Henry III.[2]

On the death of Henry III., in November, 1272, King Edward being then absent in the Holy Land, the council selected Merton to fill the office of chancellor. A document on the Close Roll, dated on the 29th of that month, is attested by him in that character[3]; in which also he assisted at a folk-mote of the citizens of London, held in St. Paul's Churchyard about the same time relative to the election of Walter Hervey as lord mayor of London.[4] That King Edward approved of the choice is evidenced by a letter he addressed "to his beloved clerk and chancellor, Walter de Merton," on August 9 following, from Mellune-super-Skeneham, thanking him for his zeal, and exhorting him to continue to discharge the duties of the office.[5]

About July 20, 1274, he was elected Bishop of Rochester, and thereupon resigning the chancellorship, Robert Burnel, Archdeacon of York, was appointed his successor on September 21 following.[6]

He presided over his see little more than three years; and if Edmund de Hadenham, in his "Annals of Rochester,"[7] is to be believed, he did no notable good to the prior and con-

[1] 4 Report, Pub. Rec., App., ii. 152. 158.; 5 Report, App., ii. 61, 62, 63.
[2] Excerpt. e Rot. Fin. ii. 555.
[3] Fœdera, i. 498.
[4] Palgrave's Merchant and Friar, 118.
[5] 6 Report, Pub. Rec., App., ii. 89.
[6] Claus. 2 Edw. I., m. 1.
[7] Angl. Sac. 351.

vent, although he had great authority and power. He was drowned in crossing the Medway on October 27, 1277, and was buried in Rochester Cathedral.[1] The marble tomb under which he was placed was taken down in 1598, and an elegant monument erected in its place, by Sir Henry Savile, the Warden, and the Fellows of Merton College, with an appropriate inscription.

King Edward granted writs, summoning all who were indebted to the Bishop speedily to pay the debts they owed into the Exchequer; in order that his executors might be enabled to perform the directions of his will: taking care, however, that security was first given by them for what was due from him to the crown.

Previously to his founding the college which bears his name, he had commenced one at Maldon, near Merton; but, altering his intention, he began his erection at Oxford, and removed to it the warden and priests of the former. Merton College is the most ancient establishment of that nature; and was incorporated by three charters, all of which are preserved among its archives. The first is dated January 7, 1264, 48 Henry III.; the second in 1270, when he further endowed it; and the third in 1274, 2 Edward I., when he brought it to completion. The regulations by which it was governed were esteemed so wise, that its charters were consulted as precedents on the foundation of Peterhouse, the earliest college in the sister university.

## METINGHAM, JOHN DE.

Just. K. B. 1276. Ch. C. P. 1290.

In the county of Suffolk, in which John de Metingham was born, is a village so called, from which his family derived

[1] Godwin de Præsul. 530.

their name. No account remains of his parentage, nor of his progress in the profession of the law, until he is mentioned in 3 Edward I. as one of the king's serjeants. In the following year, 1276, he was constituted a judge of the King's Bench, and his name frequently occurs as acting in the court and on the circuits.

In the sweeping exposure of the corruption of the bench made by King Edward in 1289, the only two who were found pure in the administration of justice were John de Metingham and Elias de Beckingham. Both the chief justices were disgraced; and Metingham, in Hilary Term, 18 Edward I., 1290, was raised to the head of the Common Pleas, where he presided till his death. The last fine levied before him in that character was in fifteen days of Michaelmas, 26 Edward I., 1298; and he is mentioned as present in court in the following Hilary Term. His death, however, did not occur till 1301, when his place was filled by Ralph de Hengham.

He wrote a Treatise called "Judicium Essoniorum."[1]

## MIDDLETON, ADAM DE.

JUST. ITIN. T. 1305.

*See* under the Reign of Edward II.

## MIDDLETON, WILLIAM DE.

B. E. 1286.

WILLIAM DE MIDDLETON was an officer of the Exchequer, holding the place of Keeper of the Rolls and Writs of the [illegible] in 2 and 3 Edward I., together with the key of the

[1] Dugdale's Orig. 44. 57.; and Chron. Ser.; Rot. Parl. i. 6. 18. 40. 51. 85. 99.; Madox's Exch. ii. 25.; Fuller's Worthies, ii. 336.

Jewish Tallage; and for this he had a salary of 10*l.* per annum. In the following year, 1276, he was appointed *Custos Brevium* of the Court of Common Pleas; and in 11 Edward I., the lands of Isabella, the widow of Henry de Gaunt, were committed to his custody. On June 18, 1286, 14 Edward I., he was associated with the escheator in the custody of the bishoprick of Ely on its becoming vacant; and in the course of the same year he was appointed a baron of the Exchequer in the place of Roger de Northwood, with a salary of 20*l.* a year; and there is evidence of his continuance in that office for the four following years.[1] He probably was some relation to the Bishop of Norwich of the same name, who died in August, 1288.

## MONTEFORTI, HENRY DE.

Just. C. P. 1272.

*See* under the Reign of Henry III.

The name of Henry de Monteforti, with the addition of "Clericus," appears in 48 Henry III., 1263, as an escheator south of the Trent[2]; and in the same year he was one of the conservators of the peace in the county of Kent.[3]

I have not been able to discover whether any relationship existed between him and Peter de Montfort, the head of the noble family of that name, or Simon Earl of Leicester; but as both of the latter were slain in 1265 at the battle of Evesham, in arms against their sovereign, it is not likely that the connection was very close; since Henry's elevation to the bench took place about October, 1266, 50 Henry III., from which date till the end of that reign the Fine Rolls contain frequent entries of writs for assizes to be held before

[1] Madox's Exch. i. 234. 243. 313., ii. 322.; Abbrev. Rot. Orig. i. 45.; Dugdale's Chron. Series.

[2] Excerpt. e Rot. Fin. ii. 411.

[3] Hasted's Kent, i. 218.

him.[1] In 51 Henry III. the keeper of the wardrobe was commanded by the king to provide "Johanni le Breton et Henrico de Monteforti, Justiciariis suis," with the entire robes other justiciers received.[2] He went circuits in 52, 55, and 56 Henry III., and was still on the bench at the decease of that king.

There can be little doubt that he was continued in office on the accession of Edward I.; for in the second and fourth years of that reign he again acted on the circuits, the commission of the former year extending over nineteen counties. Dugdale also quotes an entry on the Liberate Rolls of 3 Edward I., in which he is named as a justice of the bench.[3] He died at the end of the next or beginning of the following year.[4]

## MORTIMER, WILLIAM DE.

JUST. ITIN. 1292.

*See* under the Reign of Edward II.

## MUTFORD, JOHN DE.

JUST. ITIN. T. 1307.

*See* under the Reign of Edward II.

## NEWBALD, GEOFFREY DE.

JUST. ITIN. 1276.

DUGDALE, by a misreading of the patent he quotes, states that on November 2, 1276, 4 Edward I., Geoffrey de Newbald was appointed one of the judges of the Common Pleas[5]; the record plainly proving that he was merely constituted a

[1] Excerpt. e Rot. Fin. ii. 446—586.
[2] Selden's Notes to Hengham Magna, 5.
[3] Dugdale's Chron. Series.
[4] Abbrev. Rot. Orig. i. 27.
[5] Dugdale's Chron. Series.

justice to hold pleas in the liberties of the priory of Dunstable. He was soon removed to a more important station, for on August 22, 1277, he was raised to the office of Chancellor of the Exchequer, for which he had a salary of forty marks.[1] In 6 Edward I. he complained to the parliament that the Bishop of Durham had refused to admit him to the church of Roubery in that diocese, in the king's gift, alleging it was already full; and his petition was referred to the Court Christian.[2] He is recorded as attending the Court of Exchequer as late as 9 Edward I.

## NORMANVILL, THOMAS DE.

Just. Itin. ? 1286. 1293.

There was a Yorkshire family of this name; of whom Gerard and Margery his wife, who were, perhaps, the parents of Thomas de Normanvill, paid for an assize in that county in 53 Henry III., 1269.[3] Thomas is called "senescallus regis" in the king's grant to him, in 4 Edward I., of the custody of the Castle of Bamburgh; and the title is continued in numerous instances till the tenth year, when he was appointed to the same duties under the designation of king's escheator beyond Trent. He retained the latter office till the twenty-third year, except that he exchanged it for a short time for the southern escheatorship.[4] It was probably in this official capacity that in 11 Edward I., 1283, he received the king's commands to remove the sheriff of Cumberland; his commission for which, and his letters to the barons of the Exchequer communicating his having obeyed the order, are mentioned in the Year Book of that reign (fol. 12.). He was one of the justices itinerant for pleas

[1] Madox's Exch. ii. 52. 62. 321.
[2] Rot. Parl. i. 6.
[3] Excerpt. e Rot. Fin. ii. 491.
[4] Abbrev. Rot. Orig. i. 26—88.

of the forest only in Nottingham and Lancashire in 14 Edward I., 1286, but his name appears as a regular justice itinerant in 20 and 21 Edward I., when he was appointed for Herefordshire and for Surrey.[1] He died in 23 Edward I., 1295.[2]

## NORTHBURG, WILLIAM DE.

Just. Itin. 1275.

Of William de Northburg no memorial remains except that he was one of the justices appointed in 3 Edward I., 1275, to take assizes beyond the Trent; and that in 6 and 7 Edward I. he acted as a justice itinerant in the counties of Hereford, Hertford, Kent, Dorset, Somerset, and Wilts.[3] He is mentioned in that character at Lancaster in 23 Edward I., but apparently in reference to a plea of earlier date.[4]

## NORTHWOOD, ROGER DE.

B. E. 1274.

Northwood-Chasteners is a manor near Milton in Kent, and was granted in the reign of King John to Stephen, the son of Jordan de Shepey, who built a mansion there and assumed its name. His son, Roger de Northwood, who was with King Richard in the Holy Land, was, by Bona his wife, father of Roger, the subject of the present notice. In 42 Henry III. he accounted for the proceeds of the sheriffalty of Kent as one of the executors of Reginald de Cobbeham; and was possessed, besides the above manor, of that of Littlebrooke in Stone, near Dartford, and of Shorne, Thurneham, Harietsham, and Northwood without Shepey, and other property in the

[1] Dugdale's Chron. Series.
[2] Dugdale's Chron. Series.
[3] Cal. Inquis. p. m., i. 124.
[4] Abbrev. Rot. Orig. i. 92.

same county. In 41 Henry III. he procured the tenure of his lands to be changed from gavelkind to knights' service.[1]

He must have been a baron of the Exchequer in 2 Edward I., since he is mentioned as being present in that character on the feast of St. Edmund the Martyr, November 20, 1274, the first day of the third regnal year of that monarch. On July 25 following, he received a grant of 10*l.* for his expenses; and in November another of 20*l.*; and subsequently a regular salary of forty marks per annum. In 5 Edward I. he was excused from his service in the army against Wales on account of his residence in the Exchequer; and there is sufficient proof of his continuing in the office till his death, which occurred in the thirteenth year.[2] His son John was summoned to parliament; as were his successors till 49 Edward III. The male line failing in 1416, the barony on the death of John, the grandson of the last who was summoned, fell into abeyance among the representatives of his sisters.[3]

## ODYHAM, WALTER DE.

? Keeper, 1284.

When Bishop Burnel, the chancellor, paid one of his occasional visits to his mansion at Acton Burnell on July 25, 1284, he left the Great Seal in the custody of Hugh de Kendal and Walter de Odyham.[4] On this account they are placed in Mr. Hardy's catalogue among the keepers of the seal. Both of them, however, probably were simply clerks in Chancery. Hugh de Kendal certainly bore that office two years afterwards[5]; and several letters and writs

[1] Hasted's Kent, i. 181. 184., ii. 389., iii. 444., v. 447. 522., vi. 177. 251.

[2] Madox's Exch. i. 726., ii. 20. 62. 112. 269. 320.; Abbrev. Placit. 201.; Cal. Inquis. p. m., i. 86.

[3] Dugdale's Baronage, ii. 70.; Nicolas's Synopsis.

[4] Pat. 12 Edw. I., m. 7.

[5] Madox's Exch. ii. 257.

are addressed to Walter de Odyham separately, as well as to them both jointly, on the business of the Chancery. It has been already remarked under Hugh de Kendall that some of these bear date in 1283.

## ORMESBY, WILLIAM DE.

JUST. ITIN. 1292. JUST. K. B. 1296.

*See* under the Reign of Edward II.

## OSGODBY, ADAM DE.

M. R. 1295. ? KEEPER, 1302.

*See* under the Reign of Edward II.

## PENECESTRE, STEPHEN DE.

JUST. C. P. 1284.

ALTHOUGH Dugdale introduces the name of Stephen de Penecestre (Penshurst) in his list of judges of the Common Pleas, quoting the "Communia" of Trinity Term, 12 Edward I., there is considerable doubt whether he ever held that office or sat at all on the bench at Westminster. He certainly was often employed in a judicial character, but it seems to have been in his capacity of warden of the Cinque Ports.

The manor of Penshurst in Kent belonged to him, and at the latter part of the reign of Henry III. was held by Sir John Belemeyns, a canon of St. Paul's, as his uncle and trustee. He also possessed the manor of West Leigh and the castle of Allington in the same county. Before 1270, 54 Henry III., he had married Roese de Beseville, and in that year did homage, with Joanna, her sister, for the lands which had belonged to their mother, Hawise.[1] He was

[1] Excerpt. e Rot. Fin. ii. 510.

sheriff of Kent in 53 Henry III., and the two following years; and in 55 or 56 Henry III. was appointed constable of Dover Castle and warden of the Cinque Ports, posts for which he received 30*l.* a year to cover the expenses of chaplains and servants, and which he retained as late as 33 Edward I.[1] There are several instances of his being assigned to try malefactors and to decide rights within his jurisdiction[2], but none that show him to have been one of the regular judges.

His second wife was Margaret, one of the three daughters and coheirs of John de Burgh, the grandson of Hubert de Burgh. Hasted says that after his death she married Robert de Orreby, but it is evident that Orreby must have been her first husband. Stephen de Penecestre was alive in 1305, 33 Edward I., and Margaret on her death in 1309, 2 Edward II., is described by his name; and further, John de Orreby, "son of Margaret, who was the wife of Stephen de Penecestre deceased," did homage for her lands in Kent in the same year, when, if there had been a subsequent marriage, he could not have been more than three years old. Stephen de Penecestre left two daughters and coheirs; Joane, married to Henry de Cobbeham of Rundall; and Alice, married to John de Columbers. He largely endowed the Free Chapel of his manor of Penshurst, and lies buried in the church there under an altar tomb, on which he is represented in armour, and not in judicial robes.[3]

[1] Excerpt. e Rot. Fin. ii. 552.; Madox's Exch. i. 613.; Abb. Rot. Orig. i. 47.

[2] Rot. Parl. i. 3. 18. 98. 126.; Abbrev. Placit. 203.

[3] Hasted's Kent, i. 182., iii. 75. 231. 255. 259. 272., iv. 450., vi. 84.; Abbrev. Rot. Orig. i. 162. 164.

## PICHEFORD, GEOFFREY DE.

? JUST. ITIN. 1278.

GEOFFREY DE PICHEFORD was probably the son of Ralph de Picheford, and was under age when his father died, in 1252, 36 Henry III.; and his wardship and the custody of his lands in Shropshire were granted to Ralph Fitz-Nicholas for a fine of 100 marks.[1] He was constable of the castle and forest of Windsor in 1 Edward I.[2], and was a justice itinerant of the forests before the eighth year, 1278, the period named in Dugdale's List, when he was appointed to act in Wiltshire, as he is referred to in that character in Hampshire two years previously, in a petition to the parliament then held. He was still engaged in the same employment in 18 Edward I.; and was afterwards Queen Eleanor's bailiff at Langley.[3] The last time any record of his name appears is as constable of Windsor Castle, in 26 Edward I.[4]

## PRESTON, GILBERT DE.

CH. C. P. 1272.

*See* under the Reign of Henry III.

WALTER DE PRESTON, the father of Gilbert de Preston, was in the service of King John. He was sheriff of the county of Northampton in the eighth and ninth years of that reign, and afterwards held some office in connection with the Forests. He seems also to have had the custody of the castle of Fotheringay; and at the close of the reign to have deserted his royal master for a short time. On the accession of Henry III., he not only recovered his lands, but was retained in the king's employ. On several occasions he had orders to take a number of bucks in the forests for the king's

[1] Excerpt. e Rot. Fin. ii. 141.
[2] Abbrev. Rot. Orig. i. 21.
[3] Rot. Parl. i. 4. 59., ii. 81.
[4] Madox's Exch. ii. 224.

use "ad lardarium faciendum;" and in one case he was permitted to reserve out of them one for his wife as a gift from the king. In 10 and 11 Henry III. he was employed with others to assess the quinzime in Warwick and Leicester, and to fix the tallage in Northampton, Buckingham, and Bedford.[1] He died at the end of 14 Henry III., his son Gilbert on the first day of the following year, viz. October 28, 1230, paying 100 shillings for his relief on having his father's lands in Northamptonshire.[2]

Although there is no evidence of the manner in which Gilbert's early life was employed, yet, looking at his father's connection with the court, and his own extended judicial career, there can be little doubt that his education was principally devoted to the study of the law, and that he practised as an advocate before he was selected as a judge. The first time his name is mentioned is at the bottom of the list of the four justices itinerant who were assigned to take the southern circuit in 24 Henry III., 1240.[3] He was probably not then one of the justiciers at Westminster, but was added to the commission in the same manner serjeants are at the present day. That he was raised to the bench before the Purification (February 2), 26 Henry III., there is no doubt, as fines were levied before him from that time; and in Easter of the same year his name appears on the pleas of the bench.[4] Till the end of this long reign, no year occurs in which payments are not made for writs of assize to be taken before him.[5]

Of his precise position on the bench these entries afford no certain evidence; the writs being principally addressed to him, as they were to other judges, alone. That he was eventually, however, raised to the highest place, "capitalis

[1] Rot. Claus. i. 79. 100. 103. 122. 140. 297. 360. 407., ii. 137. 146. 208.
[2] Excerpt. e Rot. Fin i. 204.
[3] Dugdale's Chron. Series.
[4] Ibid. and Orig. 43.
[5] Excerpt. e Rot. Fin. vols. i. & ii. passim.

justiciarius," of the Court of Common Pleas, there can be no doubt; and as the transition from the old to the new forms occurred in this reign, it will be interesting to endeavour to trace the successive steps of his judicial career.

In 1242 he was at the bottom of the Justiciarii de banco. From this time, judging from the lists of justices itinerant, he gradually advanced to a higher station, until in 1252, 36 Henry III., he stood at the head of one of the commissions, and retained the same position, with one or two slight exceptions, till 1257. It is not, however, to be presumed from this circumstance, that he was then at the head of either of the courts, but simply that in the division of the circuits he was the senior in those he was appointed to take. Accordingly it appears that on October 3, 1258, 42 Henry III., he was the second of three, Roger de Thurkelby being the first, who were assigned to hold the King's Bench at Westminster, until the king should arrange more fully.[1] In 1263 there are pleas before him and John de Wyvill at Westminster; and in 1267 pleas "de Banco" before him and John de la Lynde [2]; which would seem to imply that he was no longer in the King's Bench, but that he acted in the Common Pleas. In the following year also he was called "justiciarius de banco" [3], and was at the head of the justices itinerant in various counties. His salary in 39 Henry III., 1255, was forty marks per annum [4]; but in 53 Henry III., 1269, he had a grant of one hundred marks annually for his support "in officio justiciariæ." Although the term "capitalis" is not used, the amount of this stipend shows that he was then chief justice; and it may be concluded that this was the date of his advance to that rank.

The actual title of chief justice does not seem to have been applied to him till the following reign, when, on his

[1] Cal. Rot. Pat. 29.
[2] Dugdale's Chron. Series.
[3] Madox's Exch. i. 236.
[4] Ibid. ii. 202.

re-appointment by Edw. I., he was so called in the Liberate that grants him livery of his robes; and Dugdale remarks that he is the first whom he has observed to have the title of capitalis justiciarius of the Court of Common Pleas. He continued to preside there till his death, which occurred between Midsummer and Michaelmas, 1274, 2 Edward I.; the former being the date of the last fine acknowledged before him, and the latter that of the nomination of his successor, Roger de Seyton.[1]

## RANDOLF, JOHN.

Just. Itin. 1302.

*See* under the Reigns of Edward II. and Edward III.

## RETFORD, ROBERT DE.

Just. Itin. 1295.

*See* under the Reign of Edward II.

## REYGATE, JOHN DE.

Just. ? K. B. 1272.

*See* under the Reign of Henry III.

In 52 Henry III., 1268, John de Reygate succeeded Richard de Clifford as king's escheator north of Trent, and during the time he held that office he performed the duties of a justicier, from May 1269, to August 1271, 55 Henry III.; numerous payments being made for assizes before him in the northern counties. He held the escheatorship to the end of that reign.[2]

Under Edward I. there is no actual entry showing that he

[1] Dugdale's Orig. 39. 43.; Cal. Inquis. p. m., i. 52.
[2] Excerpt. e Rot. Fin. ii. 467—585.

was a justicier at Westminster; but from his frequent employment as a justice itinerant, and the position he gradually attained in the commissions, it seems probable that he continued to hold the office. In 3 Edward I. he was the third of four justices itinerant into Worcestershire; and in the next year the head of four justices of assize. In 6 Edward I. his name in two commissions of itinera, one into Herefordshire, and the other into Hertfordshire and Kent, was preceded only by that of the Bishop of Worcester; in the following year he headed the circuit into Dorset, Somerset, and Wilts; and in 12 Edward I. a writ was addressed to him and another to hold an assize in Northumberland.[1]

## ROCHESTER, BISHOP OF. *See* W. DE MERTON.

## ROCHESTER, SOLOMON DE.

JUST. ITIN. 1274.

SOLOMON DE ROCHESTER, or, as his name is usually abbreviated, Solomon de Roff, was one of the canons of St. Paul's. He was first selected as a justice itinerant, to assist the regular judges, in 2 Edward I., 1274, when he acted in Middlesex; and in the following year in Worcestershire. In 4 Edward I. he is called by Dugdale one of the justices of assize, but there was not at that time any distinction between the two classes; and two years afterwards his name again appears among the justices itinerant, and so continues till 15 Edward I., 1287; on the last occasion being placed at the head of the list.[2] In this position he is named in various documents among the rolls of parliament as acting for the two following years.[3] These rolls contain several complaints

[1] Dugdale; Abbrev. Placit. 276.

[2] Dugdale's Orig. 21.; and Chron. Series.

[3] Rot. Parl. i. 42. 48. &c.

against him by parties in the country, but they probably were the consequence, not the cause of the disgrace, which he shared with most of his judicial brethren at the end of the seventeenth or the beginning of the eighteenth year of the reign, 1289. The corruption charged against him must have been of a far deeper die than those complaints exhibit; for he was compelled to pay a fine of no less than 4000 marks, before he was discharged from his imprisonment.

There is no evidence of his having been allowed to resume his duties as a judge; and the only other published record we have concerning him, is a presentation made to the justices itinerant in Kent of his being poisoned at his house at Snodland in that county by Master Wynand, the parson of the parish, on August 14, 1293, 21 Edward I.[1] Sir Edward Coke, however, in pronouncing the sentence against Sir John Hollis and others, tried in the Star Chamber in 1615 for traducing the public justice, refers to this case, and states that the prayer of the monk (as he calls him) to be delivered to the censure of the church was denied, "because the same was a wrong to the state to poison a judge."[2] But the entry by no means supports Sir Edward either in his fact or his inference. Solomon de Rochester is not mentioned in it as a judge, nor is any reference made to his having filled that office; and though it appears that the king refused at first to deliver the delinquent to the Bishop of Rochester, it was because he had shown too great a desire to procure his liberation and to purge him from the charge. Wynand was therefore handed over to the church of Canterbury, the archbishoprick being then vacant: but eventually was actually given up to the Bishop of Rochester. The result of the investigation does not appear.

[1] Abbrev. Placit. 290.

[2] State Trials, ii. 1031.

## ROUBURY, GILBERT DE.

JUST. K. B. 1295.

*See* under the Reign of Edward II.

## SADINGTON. *See* THOMAS DE SODINGTON.

## SAHAM, RICHARD DE.

? B. E. 1295.

DUGDALE names Richard de Saham as having been constituted a baron of the Exchequer in 23 Edward I., 1295, in the place of Master Elias de Wynton. The absence of both of these names in Madox's list, and the total silence of the records with respect to either in connection with the court, were of themselves sufficient grounds for suspicion that some error had been committed, to which the want of a place for them in the regular succession of the barons gave additional weight. The Year Book, however, accounts for the mistake, for it there appears that Richard de Saham was sworn in as baron of the Exchequer *in Ireland*, in Trinity term, 23 Edward I., before the chancellor and barons of the Exchequer in England.[1] He was a son of Robert de Saham, of the manor of Saham-Toney in Norfolk, and brother of the under-mentioned William.[2]

## SAHAM, WILLIAM DE.

JUST. K. B. 1272.

WILLIAM DE SAHAM was another son of Robert de Saham, and founded a chantry at Saham-Toney in Norfolk.[3] He was raised to the bench on the accession of Edward I., and continued for many years to act as a judge of the King's Bench, and to be employed in various itinera till 18 Edward I. In that year, although he shared in the disgrace of many of

[1] Year Book, Part I. 35.
[2] Blomefield's Norfolk, i. 598.
[3] Blomefield's Norfolk, i. 598.; Taylor's Index Monasticus, 68.

his brethren, and was not only removed from his seat, but fined in the sum of 3000 marks [1], he is described in a document (Bib. Cott. Claud. E. VIII., p. 206.) as entirely ignocent, "in quo dolus seu fraus non est inventus," and as paying the fine to conciliate the king.[2] He was alive in 28 Edward I., when he was defendant in an action brought against him for damage done to property at Huningham in Norfolk.[3]

ST. DAVID'S, Bishop of. *See* T. Bek.

## ST. OMERO, WILLIAM DE.

Just. Itin. 1275.

*See* under the Reign of Henry III.

Very little information has been obtained with regard to William de St. Omero. He had the custody of the castle of Hereford in 38 Henry III.[4]; and in the forty-sixth year, he and his wife, Petronilla, paid for a writ in Worcestershire.[5] The only entry on the rolls of that reign which proves that he sat on the judicial bench, is a grant to him, in the fifty-third year, 1269, of an annual salary of 40*l.*, "quamdiu placitis prædictis intenderit." Although Dugdale thereupon inserts his name in the column of the justices of the King's Bench, I doubt whether he was more than a justice itinerant. He is not mentioned afterwards in the former character; and the only instance I have found of his acting in the latter, is the taking of an inquisition by him and Sir Warine de Chaucomb at Lincoln in 3 Edward I., 1275.[6] In the previous year he attended at the general council held at Lyons under Pope Gregory X.[7]

[1] Dugdale's Chron. Ser.; Weever, 367.; Rot. Parl. i. 52. 63.
[2] Parl. Writs, i., Chron. Abst. 15. note.
[3] Abbrev. Placit. 242. See also 206. 270, 271.
[4] Cal. Inquis. p. m., i. 13. [5] Excerpt. e Rot. Fin. ii. 373.
[6] Proceedings Arch. Inst. York, Holy Trin. 132.
[7] Devon's Pell Records, Introd. xxxiii.

## ST. VALERICO, or ST. WALERICO, JOHN DE.

B. E. 1274.

JOHN DE ST. VALERICO, or ST. WALERICO (a town in Normandy), was the descendant of a noble family of that name, Ranulph, the ancestor of which at the time of the general survey possessed several manors in Lincolnshire. The elder branch failed for want of male issue in 1219.[1] John was probably an officer in the Exchequer; for in 55 Henry III. and 1 Edward I. he was appointed sheriff of the counties of Somerset and Dorset, with a special commission to inquire what debts several sheriffs of those counties and their bailiffs had received, and not accounted for.[2] He became a baron of the Exchequer about 2 Edward I., 1274, as he is noticed as such on November 20th, the first day of the third year. He is not mentioned after the following year, during which a sum of 20*l.* was allowed for his expenses.[3]

He left one daughter, Maud, who married Sir Brian de Brampton.[4]

## ST. VIGORE, THOMAS DE.

JUST. ASS. 1281.

A THOMAS DE ST. VIGORE, with two other persons, was appealed of the death of a man in Hampshire in 41 Henry III., 1257, and paid a fine of a mark of gold for a writ "de pardonacione de secta pacis;"[5] but I have no certain means of identifying him with the subject of the present notice, who was appointed in 9 Edward I., 1281, to take assizes in different counties.[6] He was summoned to the parliament at Shrewsbury in 11 Edward I., and died in the twenty-

[1] Dugdale's Baronage, i. 454.
[2] Madox's Exch. ii. 195.
[3] Ibid. ii. 112. 269. 320.
[4] Brydges' Collins' Peerage, iv. 46.
[5] Excerpt. e Rot. Fin. ii. 249.
[6] Dugdale's Chron. Series.

third year of the reign, leaving property in Wiltshire and Somersetshire, for which his son Thomas did homage on October 20 in that year.[1]

## SALVEYN, GERARD.

Just. Itin. T. 1304.

Gerard Salveyn had large possessions in Yorkshire, and was appointed one of the four justices of Trailbaston for that county in the commission dated November 23, 1304. On the re-arrangement of these commissions in the following April, when York was united to the other northern counties, his name was omitted[2]; but he had been returned knight of the shire in the interval, and was again elected in 35 Edward I.[3]

The family was founded by Josceus le Flemangh, who came in with the Conqueror, and was settled at Cukeney in Nottinghamshire, from which place Josceus's son Richard was called; but his grandson Ralph received the designation of Le Silvan from his manor of Woodhouse in that county; and this was afterwards corrupted to Salveyne. Gerard was the son of Ralph Salveyn of Duffield in Yorkshire, and Sibilla, daughter and co-heir of Robert Beeston of Wilberfoss. He was one of the assessors of the fifteenth for that county, granted in 30 Edward I., and two years afterwards was sent on an embassy to the court of France. In 1 Edward II. he was appointed escheator north of Trent, and held it till the middle of the third year. He was then entrusted with the sheriffalty of York for four years, commencing in 4 Edward II. In the twelfth year he obtained a pardon as one of the adherents of Thomas, Earl of Lancaster, and died in the following year. His grandson, Gerard Salveyn, succeeded him, and the two united names

[1] Cal. Inquis. p. m., i. 123.; Parl. Writs, i. 16. 824.
[2] Parl. Writs, i. 407, 408. [3] Ibid. i. 143. 190.

continued to designate every head of the family for more than four centuries, thirteen in number; and after a lapse of about eighty years, is still held by its representative, Gerard Salvin, Esq., of Croxdale in Durham, an estate which came through a wife into the family in 1402.[1]

## SANDWICH, RALPH DE.

? JUST. C. P. 1289.

*See* under the Reign of Henry III.

RALPH DE SANDWICH was of a knightly family in Kent, in which county he held the manors of Eynsford and Ham. In 49 Henry III. he was keeper of the wardrobe, and in that capacity, during the temporary absence of Thomas de Cantilupe the chancellor, the Great Seal was placed in his custody on May 7, 1265, under the seals of Peter de Montford, Roger de St. John, and Giles de Argentein; with a power to seal writs of course whether in their presence or absence, but precepts in their presence only. He and his wife were both summoned to attend the coronation of Edward I.[2] In the first year of that reign the custody of the vacant bishoprick of London was committed to him; and in 5 Edward I. the castle of Arundel. From that year to the ninth, he acted as escheator south of the Trent under the title of "Senescallus Regis."[3] In 14 Edward I. he was appointed constable of the Tower of London; and having held the office to the end of that reign, was confirmed in it on the accession of Edward II.[4]

Dugdale introduces him as a judge of the Court of King's Bench in 17 Edward I., 1289, on the authority of a fine levied before him in Michaelmas term of that year. This,

[1] Parl. Writs, i. 106., ii. Part I. 26., Part II. 24. 127.; Fuller's Worthies; Burke's Landed Gentry; Inquis. p. m., i. 292.; Abbrev. Rot. Orig. i. 159.

[2] Madox's Exch. i. 71. k.

[3] Abbrev. Rot. Orig. i. 21. 27—39.

[4] Ibid. i. 155.; Madox's Exch. i. 270. b., ii. 108, 109.

however, would rather seem to place him in the Common Pleas; but as no subsequent fines appear with his name, and he is never otherwise mentioned as a judge at Westminster, great doubt may be entertained whether he ever filled the office. It does not seem improbable, as this was the precise period when King Edward cleared the bench of the judges who had disgraced it, and their successors were not yet nominated, that, in his character of constable of the Tower, an office then of great importance, he might have been commissioned to act *ad interim* in such formal proceedings as the levying of fines, &c., to prevent an interruption in the ordinary business, which would have been most inconvenient to the suitors and the public. In 30 Edward I., he is called "Justice de Newgate."[1]

He probably died in 1 Edward II., as he is not named afterwards, and in that year John de Crumbwell was appointed constable of the Tower.

## SAUNFORD, JOHN DE, afterwards Archbishop of Dublin.

? Just. Itin. 1275.

In the calendar of royal letters, &c., in the Tower, is a minute addressed to Hugh de Kendall and Walter de Odyham (who acted in the Chancery, of which they were clerks in 11 and 12 Edward I.), relating to a plea which had been before John de Saunford and his fellows, justices in eyre in the third year of the king's reign, between Elyas Scendall and Hugh de Bello-Manso.[2] This shows that Saunford was a justice itinerant at that time; but whether of England or Ireland is uncertain. The latter seems the more probable, as at the beginning of 11 Edward I. there is a plea recorded between these parties, which is marked "Hibernia;"[3] and Saunford

[1] Rot. Parl. i. 154.; Hasted's Kent, ii. 529., x. 178.
[2] Seventh Report, Pub. Rec., App., ii. 248. [3] Abbrev. Placit. 204.

was the king's escheator in Ireland from the eighth to the twelfth year.[1]

In 1285, 13 Edward I., he was made Archbishop of Dublin, and there is a letter from him to John de Langton, apparently before he was chancellor, and which therefore may have been written either before or after Saunford was elected to the archbishoprick, requesting new writs relative to the process in the plea of Pencriz, to bear the same date as the former, as arranged when he attended at Knaresburgh before Langton and William de Hamilton.[2] As Pencriz is either the collegiate church in Staffordshire, or the church in Derbyshire, it would appear that Saunford was then acting in a judicial capacity in England; but I have found nothing positively to decide the question.

A contention arose between the archbishop and William de Luda, Bishop of Ely, in 21 Edward I., in consequence of a man of the former having been killed by a servant of the latter; the particulars of which are recorded in the Parliament Roll. I do not know the date of the archbishop's death; but that of his successor, William de Hotham, occurred in 30 Edward I.[3]

## SEYTON, ROGER DE.

JUST. C. P. 1272. CH. C. P. 1274.

*See* under the Reign of Henry III.

ROGER DE SEYTON was of the clerical profession, as is shown by the title Magister, invariably added to his name. There is no mention of him till April, 1268, 52 Henry III., from which date fines were acknowledged, and payments made for assizes, before him till the end of the reign.[4] He travelled on various iters during the whole of this period,

[1] Abbrev. Rot. Orig. i. 36. 42. 48.

[2] Seventh Report, App., ii. 247.

[3] Rot. Parl. i. 111. 152.

[4] Dugdale's Orig. 44.; Excerpt. e Rot. Fin. ii. 459—587.

being at the head of the commissions in the last two years; and in 53 Henry III., he had the grant of a salary of 20*l.* per annum.

On the accession of Edward I., he was continued in the Common Pleas, and was constituted chief justice of that court in Michaelmas of the second year; in which he also stands at the head of the justices itinerant.[1] As the last fine acknowledged before him is dated on the octaves of Trinity, 6 Edward I., 1278, the period of his death or retirement may be fixed about that time. In the same year he was succeeded by Thomas de Weyland.

## SNYTERTON, THOMAS DE.

Just. Itin. T. 1307.

Snyterton is a village in Norfolk, from which no doubt Thomas de Snyterton took his name; but he is not introduced into the account of the family in possession of the manor there, which about this time was more commonly called de Bokenham.[2] In 29 Edward I. he was engaged in a suit in which he claimed the manor of Denham in Suffolk.[3] He is only mentioned once as employed in a judicial capacity, being one of the justices of Trailbaston appointed in 35 Edward I., 1307, for Essex and ten other counties; but not including Norfolk[4], from which omission it would seem that he was a lawyer by profession. In the same year he was returned as knight of the shire for Norfolk[5], and in the following year, 1 Edward II. (being then described as a knight) he was one of the six sureties for Gilbert de Holm's faithful performance of the office of sheriff of the counties of Bedford and Buckingham.[6]

[1] Dugdale's Chron. Ser.
[2] Blomefield's Norfolk, i. 168. 199.
[3] Abbrev. Placit. 243.
[4] Rot. Parl. i. 218.
[5] Parl. Writs, i. 187.
[6] Madox's Exch. ii. 151.

## SODINGTON or SADINGTON, THOMAS DE.

JUST. ITIN. 1276.

WEEVER, in speaking of the death of Robert de Shottinden, the justice itinerant in the reign of Henry III., calls him Sotingdon or Sadington.[1] If he is correct in this, probably he was the father or grandfather of this judge, whose name is written both ways, and in some instances Suddington.[2] He was a clergyman, as is proved by his title "Magister;" and was probably, therefore, one of the officers of the court before he became a justice itinerant. His first appointment to that duty was in 4 Edward I., 1276, when he acted in the City and Tower of London; and from that time he was regularly employed in various parts of the kingdom, till 17 Edward I.[3] He was one of the ambassadors to the Earl of Holland in 12 Edward I., and was a party to the contract for the marriage of the earl's son John with the king's daughter Elizabeth.[4] Sharing the corruption which pervaded the whole bench, he did not escape the retribution which they were all called upon to make; he was dismissed with disgrace from his office in 1289, when he was sent a prisoner to the Tower, from which he was only discharged on the payment of a fine of 2000 marks. He died in 27 Edward I., in possession of the manor of Tidberst in Hertfordshire[5], and considerably in debt to the king, inasmuch as all his goods were sequestered in the dioceses of York, Lincoln, Chichester, and Sarum, and in the county of Northampton.[6] William de Sadington, who recovered twenty shillings against Geoffrey le Parcheminer in 22 Edward I., was, perhaps, his son or his brother.[7]

[1] Weever's Fun. Mon. 543.
[2] Abbrev. Placit. 229.
[3] Dugdale's Chron. Series.
[4] New Fœdera, i. 645. 658. 661.
[5] Cal. Inquis. p. m., i. 153.
[6] Abbrev. Rot. Orig. i. 104.
[7] Abbrev. Placit. 291.

## SPIGURNELL, HENRY.

JUST. ITIN. 1302. JUST. ASS. 1305.

*See* under the Reign of Edward II.

## STANES, RICHARD DE.

JUST. K. B. 1272. JUST. C. P. 1274.

*See* under the Reign of Henry III.

RICHARD DE STANES affords another example of a clerical judge, as the designation "Magister," always placed before his name, sufficiently proves. He seems to have acted as a justice itinerant before he became a justicier; visiting eleven counties in the former capacity in 52 Henry III., 1268, while his appointment as a justice of the King's Bench did not take place till the following year.[1] From July, 1269, till the end of the reign, there are frequent entries of assizes to be held before him.[2] In 55 Henry III. he is specially mentioned as a "justiciarius ad placita tenenda coram rege;"[3] and in the last month of the reign, 1272, he had a salary of 40*l.* a year assigned to him.

There is no reason to suppose that he did not retain his place on the accession of Edward I.; but if he did so he must have been removed to the Court of Common Pleas in that or the following year, inasmuch as from Michaelmas in the latter till February, 1276, 4 Edward I., fines were levied before him.[4] He was present at the council held at the following Michaelmas.[5]

## STAPLETON, MILO DE.

JUST. ITIN. T. 1305.

MILO DE STAPLETON was the son and heir of the undernamed Nicholas de Stapleton, and served King Edward I.

[1] Dugdale's Chron. Series.
[2] Excerpt. e Rot. Fin. ii. 493—586.
[3] Madox's Exch. ii. 203.
[4] Dugdale's Orig. Jurid. 44.
[5] Parl. Writs, i. 6.

throughout his Scottish wars. When the first commission of Trailbaston into Lancashire was issued, on March 12, 1305, 33 Edward I., he and John de Byrun were the two justices appointed under it; but in the following month they were superseded by the more comprehensive commissions which were then issued.[1]

He was seneschal of Knaresborough Castle in 33 Edward I.[2]; and was summoned to parliament as a baron in 6 & 7 Edward II., in the latter of which years he obtained a pardon as an adherent of the Earl of Lancaster, for his participation in the murder of Gaveston. He died in the following year.[3]

By his wife Sibilla, one of the daughters and co-heirs of John de Bella Aqua, he left Nicholas, his son and heir; but the barony, by failure of male heirs in 47 Edward III., became vested in the representatives of Elizabeth, the wife of Thomas Metham, the sister of Thomas, the last lord.[4]

## STAPLETON, NICHOLAS DE.

Just. K. B. 1272.

Nicholas de Stapleton was either son or grandson of a knight of the same name, who was governor of Middleham Castle in Yorkshire in the reign of John.[5] His residence was at Hachilsay (Weshacheslay), in that county; and it may be presumed, though no record remains of his early career, that he was a lawyer by profession. The first mention we have of him is in a Liberate Roll of 1 Edward I., as a judge of the King's Bench: and by another entry in 6 Edward I., it appears that a salary of fifty marks yearly was assigned to him in that character. He was the first of four justices itinerant into the county of Worcester in 3 Edw. I.[6];

[1] Parl. Writs, i. 407, 408., ii. 67.
[2] Cal. Inquis. p. m., i. 256.
[3] Abbrev. Rot. Orig. i. 145.
[4] Dugdale's Baron. ii. 70.
[5] Rot. Claus. i. 248.
[6] Dugdale's Chron. Series.

and in 8 Edward I., one of three directed to take an inquisition. Various judicial acts are recorded of him until Trinity, 17 Edward I., 1289; and he was summoned to parliament among the judges up to the previous year.[1]

He died in 18 Edward I.[2], leaving the above-named Milo de Stapleton his son and heir, and a daughter, Julian, who married Richard de Windsor.[3]

## STAUNTON, HERVEY DE.

Just. Itin. 1302. Just. C. P. 1306.

*See* under the Reign of Edward II.

## STIRCHELEYE, WALTER DE.

Just. Itin. 1287.

Walter de Stircheleye was appointed sheriff of Gloucestershire in 9 Edward I., and in the next year sheriff of Lincolnshire; holding the former office for four, and the latter for three years.[4] He is the last named of six justices itinerant sent into Hertfordshire in 15 Edward I., 1287.[5] In Michaelmas term of that year, there was a suit between Walter, the son and heir of Walter de Stircheleye, and Walter, the son of Reginald de Stircheleye, and others, relative to a considerable property in Stircheleye in Shropshire[6]; but which of the three Walters was the justice itinerant there is nothing to show.

## STRANGE, ROGER LE.

? Just. Itin. 1292.

Roger le Strange was a grandson of John le Strange, the brother of Guy le Strange, of whom some account will

[1] Rot. Parl. i. 349.; Parl. Writs, i. 845.; Abbrev. Placit. 205, 206. 212, 213. 219. 279.

[2] Cal. Inquis. p. m., i. 103.

[3] Collins's Peerage, iii. 647.

[4] Abbrev. Rot. i. 37. 43.; Fuller's Worthies.

[5] Dugdale's Chron. Series.

[6] Abbrev. Placit. 216.

be found among the justices itinerant under Henry II. His father was also named John, who after a life of faithful and active service to his sovereign, died in 53 Henry III., leaving, by his wife Amicia, four sons, of whom this Roger was the youngest.

His brother Hamon granted to him the manor of Ellesmere, to which King Henry added several others, with the sheriffalty of Yorkshire, which he held during the last two years of that reign and the first two of Edward I. In the latter of these he was proceeded against for divers extortions he had committed while he was bailiff of the honor of Pec in Derbyshire. He does not appear to have been again employed till 8 Edward I., when he was appointed steward of the king's household with Hugh Fitz-Otho. In 11 Edward I. he became justice of the forests south of the Trent, and it is in that character that he is introduced into Dugdale's list of justices itinerant in 20 Edward I., 1292.[1] He was summoned to parliament in 1295, 1296, and 1297; in the last of which years, 25 Edward I., he surrendered the office of justice of the forest, being "adeo impotens" that he could not conveniently perform its duties.[2] In 32 Edward I., 1303–4, he obtained a licence for a market and fair at his manor of Chesworthine, in Shropshire; and died in 5 Edward II.[3] without leaving issue by his wife Matilda, widow of Roger de Moubray.

From his brother John sprang the barony of Strange of Knockyn, which by the marriage of a daughter merged in 1504 in the earldom of Derby till the death of Ferdinand Stanley, the fifth earl, in 1594, and is now in abeyance among the descendants of his three daughters.

The barony of Strange of Blackmere sprang from another brother, Robert, and was united by the marriage of a daughter in 1384 with that of Talbot; and both in 1442

[1] Cal. Rot. Pat. 48. 50; Dugdale's Baronage, i. 666.; Abbrev. Placit. 187.
[2] Year Book, Part I. 39.
[3] Abbrev. Rot. Orig. i. 182.

were merged in the earldom of Shrewsbury, until the death of Gilbert Talbot, the seventh earl, when it fell into abeyance among his three daughters; on the death of two of whom it devolved on Althea, Countess of Arundel, Surrey, and Norfolk, and remained with her descendants till the decease of Edward Howard, the eleventh duke, without issue; when it fell again into abeyance between the two daughters of his brother Duke Philip and their representatives.[1]

## STRATTON, ADAM DE.

? B. E. ? Ch. B. E.

Adam de Stratton was a clerk in the Exchequer at the close of the reign of Henry III. In the forty-ninth year of that king, he and Henry de Boreham, on the part of Isabella Countess of Albemarle, presented Ralph de Stratton to act as her deputy in the office of chamberlain of the Exchequer during her pleasure.[2] In that year the office of weigher of the Exchequer (Ponderator de Scaccario) was vested in him.[3] He was still called clerk in 36 Henry III., and in the first year of the reign of Edward I. he was discharged, in virtue of his clerkship, from a suit before another jurisdiction. In the same year he was deputed by the countess to act in her office in the Exchequer of Receipt; and in 4 Edward I. that lady granted to him (he being still called a clerk of the Exchequer) the manor of Sevenhampton, with the hamlets of Worth, Stratton, and Crikelade, together with the chamberlainship of the Exchequer; to hold of the king and his heirs, to him and his heirs, doing the duties of chamberlain as she and her ancestors had done.[4] Two years afterwards the king committed to Ralph de Besages the place which Adam de Stratton lately had at the Exchequer, namely, as well in the Great Exchequer as the Exchequer of Receipt,

[1] Nicolas's Synopsis.
[2] Madox's Exch. ii. 296.
[3] Ibid. 308.
[4] Ibid. 23. 264. 297, 298.

which had been lately taken into the king's hands "ex certa causa."[1] At this time he seems to have been in some difficulties; for in the same year he was ejected on a writ of Quo Warranto from certain manors in Surrey for nonpayment of his fine on alienation[2]; and he was charged with destroying a charter of liberties granted by the Countess of Albemarle (for whom he appears generally to have acted) to the abbey of Quarr, in the Isle of Wight, of which he was convicted in the following year, and was committed to prison.[3] He, however, obtained a second demise of the manors, and was restored to the offices he held. In 16 Edward I. he lent the Earl of Surrey 300*l.* upon mortgage of the manor of Gnoston, with a condition that if the money was not repaid in four years the manor should be Adam's for ever.[4]

When King Edward, in 1289, discovered and punished several of the judges and others for corruption, Adam de Stratton was most deeply involved. What was the precise cause of his disgrace is nowhere clearly stated; corruption is charged by one, and felony by another. The latter is expressly mentioned in several records, but its nature is not described. It must, however, have been some serious crime, for not only was he dismissed from the office of chamberlain on January 17, 1290, 18 Edward I., and from the moiety of that of usher of the Exchequer, which, it seems, belonged to him[5], but his person was imprisoned, and the whole of his property forfeited; besides the imposition of a fine. The amount of this fine has been magnified to the sum of 35,000 marks; but by a record dated June 12, 1290, 19 Edward I., it appears that it was only 500 marks; on the payment of which he was released from prison, and his transgression pardoned. The property seized by the king at the time of

[1] Madox's Exch. ii. 5.
[2] Manning and Bray's Surrey, i. 189, 190.
[3] Abbrev. Placit. 116.
[4] Ibid. 280.
[5] Madox's Exch. ii. 299, 300.; Abbrev. Placit. 223. 233.

his arrest, which all became forfeited, was no doubt considered as forming part of the fine; and that, independently of the manors, may be estimated at the value of 26,000*l.*, according to his petition to the parliament held at the following Michaelmas for restitution of some part of it,—a petition which appears to have been refused, notwithstanding the previous pardon.[1] The word "felo" is attached to his name in the escheats of 22 and 33 Edward I.[2]

In virtue of this pardon, his nephew and heir, Walter de Stratton, in 4 Edward III., prayed the restoration of the manor of Sevenhampton and the hamlets he had received from the Countess of Albemarle; and his petition was referred to the chancellor.[3]

The manor of Shenley, in Hertfordshire, and that of Andretesbury, in Surrey, with those of Upton, Bengeho, and Cowick, were among the estates which he forfeited; and he held some ecclesiastical benefices, of which the chapel of Colney was one.[4]

Dugdale calls him a baron of the Exchequer at the time of this disgrace; and Weever, Chauncy, and other authors, even style him chief baron. It seems, however, that there is no sufficient ground for presuming that he held either of these titles. The office of chief baron, *eo nomine*, did not then exist; and the authority quoted by Dugdale for calling him a baron is by no means satisfactory. He cites Leland's Collectanea; but that work contains two contradictory passages. In the one quoted he is certainly called "Baro de Scaccario;"[5] but in the other, he is, in relation to the same event, merely designated "clericus thesaurarii;"[6] neither of which was his actual title, but both sufficiently near to account for the error of the monastic annalists from whom they are extracted; as,

[1] Rot. Parl. i. 57.
[2] Cal. Inquis. et Escaet. i. 121. 201.
[3] Rot. Parl. ii. 42.
[4] Ibid. i. 49.
[5] Leland's Coll. i. 356.
[6] Ibid. 443.

being chamberlain, he would sometimes sit with the barons, and might in a certain degree be called a clerk of the Treasury. It cannot be supposed, however, that if he had been a regular baron, his dismissal from the office would not have been noticed in the same record of the court that announced his removal from that of chamberlain. In the latter office alone he is mentioned in the Year Book of the reign[1]; he is altogether omitted in the list given by Madox, in which the succession of barons is very distinct; and not only is no date of his appointment suggested, but no record exists in which he is so denominated.

His brother William, who at this period held the office of Weigher of the Exchequer, claimed restitution of the manor of Eggeswere (Edgeware), in Middlesex, on the representation that he and Adam were jointly seised of it by the grant of Nicholas de Longspeye.[2]

## SUTTON, ELIAS DE.

JUST. K. B. 1285.

ELIAS DE SUTTON, on the death of his father, of the same name, in 46 Henry III., was a minor, for it was not till June 16, 1266, 50 Henry III., that he did homage to the king for the lands his father held in capite.[3] That he was a judge of the King's Bench in 13 Edward I., 1285, appears from a Liberate quoted by Dugdale; and he is further mentioned in the same character in Easter, 15 Edward I., but not afterwards. In the same year he had a grant from Robert de Wyleghby of a bovate of land in Askern, Yorkshire.[4] He died in 17 Edward II., leaving a son, Richard, who died in the same year.[5]

[1] Year Book, Part I., 13.
[2] Abbrev. Placit. 283.
[3] Cal. Inquis. p. m., i. 21.; Excerpt. e Rot. Fin. ii. 438.
[4] Abbrev. Placit. 211. 279.
[5] Abbrev. Rot. Orig. i. 276. 278.

## THORNTON, GILBERT DE.

CH. K. B. 1289.

GILBERT DE THORNTON, or DE TORENTON, as he is called in the Chronicon Petroburgense, is mentioned as the king's attorney from 8 to 14 Edward I., 1280–6; but it is uncertain whether this office was similar to that of the attorney-general of the present day, or anything more than a special appointment to act on the part of the king in a particular proceeding. There were evidently at these times two or three so acting in different counties; one of whom, William de Giselham, was called with Gilbert de Thornton, in 9 Edward I., to be a king's serjeant-at-law: and both appear together in court in Michaelmas in the next year, under the designation of "narratores pro rege."[1]

On the disgrace of Ralph de Hengham he was constituted chief justice of the King's Bench, 18 Edward I., 1289, with a salary of 40*l.* per annum; and there is evidence of his acting as late as August, 1295, 23 Edward I.[2]; soon after which Roger le Brabazon was raised to the same post. But whether the vacancy occurred by Gilbert de Thornton's death or resignation does not appear; and there is no trace of his private history, except the fact that a messuage and two carucates of land at Caburn, in Lincolnshire, were conveyed to him in 17 Edward I. by John Priorell.[3]

During his presidency of the court, he composed a Compendium of the Law, which was in the nature of an abridgment of Bracton's work, but which has never been printed. The manuscript which Selden found in Lord Burleigh's library states that Gilbert de Thornton "tempore illo scientiâ, bonitate et mansuetudine, floriat eleganter."[4]

[1] Dugdale; Abbrev. Placit. 274.; Chron. Petroburg. 42. 141.
[2] Rot. Parl. i. 134. [3] Abbrev. Placit. 218.
[4] Bridgman's Legal Bibliog. 339.; Dugdale's Orig. 57.

## THORPE, JOHN DE.

JUST. ITIN. 1307.

*See* under the Reign of Edward II.

## THORPE, ROBERT DE.

JUST. C. P. 1290.

WHEN Edward I., in 1289, punished nearly all the judges for corrupt practices in their office, he appointed Robert de Thorpe as one of their successors in the Common Pleas, and the fines levied before him commence on the octaves of the Purification, 18 Edward I., 1290, and continue for no more than a year.[1] He probably died shortly after, as his name does not again occur. His widow, Aveline, is mentioned in a petition to the parliament of 35 Edward I., as being concerned in a process previously had relative to the manor of Thorpthewles, in Durham, to a third part of which she was entitled.

## TRIKINGHAM, LAMBERT DE.

JUST. ITIN. 1299. JUST. C. P. 1300.

*See* under the Reigns of Edward II. and Edward III.

## VAVASOUR, WILLIAM LE.

JUST. ITIN. T. 1304.

WILLIAM LE VAVASOUR was of an ancient knightly family in Yorkshire, seated at Haselwood; one of whom has been already mentioned in the reigns of Henry II. and Richard I. His grandfather was Robert le Vavasour, who flourished under John and Henry III., and married one of his daughters to Theobald Walter, and afterwards to Fulk Fitz-

[1] Dugdale's Orig. 44. [2] Rot. Parl. i. 18. 31. 33. 198.

Warine; and another to Thomas de Multon: and whose son John was the father of this William.

He served his king in the expedition into Gascony, and in his wars in Scotland; and his prowess is pithily described by the poetical historian of the siege of Carlaverock in 1300, in these lines: —

"E de celle mesme part
Fu Guillemis li Vavasours
Ki darmes nest muet ne sours." [1]

On November 23, 1304, 33 Edward I., he was appointed one of the justices of Trailbaston for York; and again, on April 6, 1305, and on February 18, 1307, when the ten northern counties were assigned to him and four others.[2] He was summoned to parliament from 27 Edward I. to 6 Edward II., the year in which he died.[3]

Dugdale says that his son Mauger ratified a grant he had made of his mill at Hunsflete to the monks of Sallay, in Yorkshire: but this is a mistake, since the witnesses to the confirmation prove that the deed was executed in the reign of Henry II.[4], and, consequently, that it was made by Mauger, the father of William le Vavasour, the justice itinerant under Richard I. He had no son named Mauger: his three sons, by his wife Nichola, the daughter of Sir Stephen Wallis of Newton, being Robert, Henry, and William, neither of whom, nor their descendants, were summoned to parliament.

From his son Henry descended Thomas Vavasour, of Haselwood, created a baronet in 1628. This title expiring in January, 1828, was revived in the following month in the person of the Honourable Edward Marmaduke Stourton,

[1] Nicolas's Siege of Carlaverock, 8. 113.
[2] N. Fœdera, i. 970.; Rot. Parl. i. 186. 218.; Parl. Writs, i. 407.
[3] Cal. Inquis. p. m., i. 249. [4] Monast. v. 514.

the cousin and devisee of the last baronet; who assumed the surname, and now inhabits the family seat.

Another baronetcy, conferred in 1801, and now held by Sir Henry Mervyn Vavasour, of Spaldington, Yorkshire, is derived from the same stock.[1]

## VAUX, JOHN DE.

JUST. ITIN. 1278.

AMONG the justices itinerant appointed in 6 Edward I., 1278, to visit the counties of Cumberland, Westmoreland, and Northumberland, is John de Vaux, or de Vallibus. He stands next after the Abbot of Westminster, with four beneath him in the commission. In the following years, up to 13 Edward I., the same judges, except the Abbot of Westminster, acted in various other counties, principally in the north of England; and in that and the next year he and William de Saham went together into Northamptonshire and Huntingdonshire.[2] As he takes precedence on all these occasions of three who were regular justices, he was no doubt selected as a principal baron of the district to head the commission.

He was the grandson of Oliver de Vaux, noticed in the last reign as a justice itinerant. His father, Robert, died either in the lifetime of Oliver, or soon afterwards, leaving several sons. William, the eldest, died without children; and in 37 Henry III., 1253, this John succeeded. In 49 Henry III., after the battle of Evesham, his fidelity to his sovereign procured him the sheriffalty of Norfolk and Suffolk, and a grant of certain houses "prope Garther" in London.[3] Under Edward I., besides the duties which he performed as a justice itinerant, he was, in the eleventh year of that reign, appointed steward of Aquitaine.

[1] Dugdale's Baronage, ii. 119.; Burke's Peerage and Extinct Baronetage.
[2] Dugdale's Chron. Series.; Rot. Parl. i. 29. 218.; Madox's Exch. i. 531.
[3] Cal. Rot. Pat. 39.

He died in 16 Edward I., 1288, leaving by Sibilla, his wife, who survived him, two daughters: Petronilla, who married William de Nerford; and Maud, who married William de Ross; between whom his property was divided.[1]

## VESCY, WILLIAM DE.

? Just. Itin. 1286.

This noble family commenced with Yvo de Vesci, who came over with the Conqueror, and was rewarded for his valiant assistance by receiving in marriage the heiress of the lordships of Alnwicke in Northumberland and Malton in Yorkshire. They left an only daughter, Beatrice, who married Eustace Fitz-John, mentioned under the reign of Henry I., and whose children resumed the name of De Vesci. William de Vesci was second son of William, their great-grandson, and of Agnes, one of the daughters of William de Ferrers, Earl of Derby. His father died in 37 Henry III., 1253, leaving two sons minors, of whom this William was the younger. John, his elder brother, although twice married, dying without children in 17 Edward I., 1289, William succeeded to the barony.[2]

Having begun his career as a younger son, he had pursued the profession of the law, and was advanced to the office of justice of the forests beyond Trent, receiving his appointment in 13 Edward I., 1285[3]; and in the following year he was at the head of the justices itinerant for pleas of the forest in Nottinghamshire and Lancashire.[4] He retained this place till 17 Edward I., the year of his brother's death, when he was appointed governor of Scarborough Castle; and in the following year he was constituted chief justice of Ireland. Three years afterwards, while in the execution of his duties

[1] Dugdale's Baronage, i. 526.
[2] Ibid. 90.
[3] Abbrev. Rot. Orig. i. 50. 90.
[4] Dugdale's Chron. Series.

he was charged by John Fitz-Thomas with confederating against the king. The rolls of parliament contain a curious account of the proceedings taken by him against the accuser, for defamation; of the duel that was awarded; of the summons to appear before the king at Westminster, when De Vesci came fully armed, but Fitz-Thomas kept away; and of the ultimate annulling of the process in 23 Edward I., on account of some irregularity.[1] It does not appear that any further proceeding took place: but it is evident that the charge was not believed, as he was in the same year summoned to parliament; was employed in the wars of Gascony in that and the following year; and had grants showing the favour of his sovereign.

On the death of Margaret, Queen of Scotland, in 1290, he became one of the competitors for that crown, in right of Margaret, daughter of William the Lion, and sister of Alexander, King of Scotland, whom his ancestor Eustace de Vesci had married. From the immediate dismissal of this claim, and those of other daughters of William the Lion, a doubt has arisen as to their legitimacy; the pretensions of Baliol and Bruce being founded on a title which, but on that presumption, would have been posterior.[2]

He died on July 19, 1297, 25 Edward I., at his manor of Malton. His wife was Isabel, daughter of Adam de Periton, and widow of Robert de Welles. By her he had a son John, who died before him, leaving Clementia his widow; but he had by Dergaville, daughter of Dunwald, a petty prince in Ireland, an illegitimate son, called William de Vesci of Kildare, who was summoned to parliament, and was killed at the battle of Bannockburn, in 8 Edward II.[3]

[1] Rot. Parl. i. 127. 132.; Abbrev. Placit. 234.
[2] Tyler's Scotland, i. 90.
[3] Hasted's Kent, i. 460.

## WALEDENE, HUMFREY DE.

B. E. 1306.

*See* under the Reign of Edward II.

## WALKINGHAM, ALAN DE.

Just. Itin. 1280.

The family of Walkingham had considerable possessions in Yorkshire, where there was a John de Walkingham, whose widow, Agnes, paid for an assize in that county in 51 Henry III., 1267.[1] These were probably the father and mother of Alan de Walkingham. He pursued the legal profession, and was appointed in 8 Edward I., 1280, one of the justices to take assizes in different counties. In the next year he acted as the king's advocate, or local attorney-general, in the pleas before the justices itinerant in Yorkshire; and in 10 Edward I. was added to the commission of justices itinerant in Cornwall.[2] He died in 12 Edward I.[3], leaving two sons; John, the elder, who had a commission of array directed to him in 16 Edward II. for the wapentake of Brudeford in Yorkshire; and Adam, the younger.[4]

## WALSINGHAM, RICHARD DE.

Just. Itin. T. 1307.

*See* under the Reign of Edward II.

## WARE, RICHARD DE, Abbot of Westminster.

Just. Itin. 1278.

Richard de Ware, who was elected Abbot of Westminster, December 15, 1258, was placed at the head of the

[1] Excerpt. e Rot. Fin. ii. 454. [2] Dugdale's Chron. Series.
[3] Cal. Inquis. p. m., i. 84. 128.; Madox's Exch. ii. 112.
[4] Abbrev. Rot. Orig. i. 47. 55. 59.

commission of justices itinerant into the three northern counties in 6 Edward I., 1278[1]; but probably never joined his companions, as in that year he was sent on an embassy to John, Duke of Brabant, to negotiate a marriage between that prince's eldest son and Margaret, the king's daughter. His name does not appear on any future iter.

He presided nearly twenty-five years, during which he procured many immunities for the abbey, and adorned it with the mosaic pavement before the high altar, the rich materials of which he brought from Rome. Besides the employments above mentioned, he was engaged in 1261 in an embassy to France, and in 1281 was treasurer of the Exchequer, in which office he died two years afterwards, in December, 12 Edward I.; this epitaph being placed over his tomb[2]:

"Abbas Richardus de Ware, qui requiescat
Hic, portat lapides, quos huc portavit ab Urbe."

WELLS, TREASURER OF. *See* J. DE LANGTON.
WESTMINSTER, ABBOT OF. *See* R. DE WARE.

## WEYLAND, THOMAS DE.

JUST. C. P. 1274. CH. C. P. 1278.

*See* under the Reign of Henry III.

THOMAS DE WEYLAND was a younger son of William de Weyland, who possessed large estates in the county of Norfolk. His mother was Marsilia, who afterwards married John Brandon.[3] He was brought up to the study of the law; and had attained sufficient eminence in 56 Henry III., 1272, to be associated, by a special mandate, with Roger de Seyton as a justice itinerant into the counties of Essex and Hertford.

[1] Dugdale's Chron. Series.
[2] Dugdale's Monast. Anglic. i. 273.; Madox's Exch. ii. 37.
[3] Spelman's Icena; Reliq. 140.

Dugdale refers to a Liberate to him in 3 Edward I., 1276, as one of the king's serjeants; and in the next year to another, as a justice of the Court of Common Pleas; but it is evident that he filled the latter office as early as Michaelmas, 2 Edward I., as, according to that author's list of fines, some were levied before him at that date.

He succeeded Roger de Seyton as chief justice of the Common Pleas in 6 Edward I., 1278; and had a salary of sixty marks a year.[1] In 11 Edward I. he had a grant of 40*l.*, in discharge of his expenses in going through divers counties, as well for taking assizes and inquisitions, as for taxing amercements in that and the preceding year.[2]

Fines continued to be levied before him till fifteen days of St. Martin, 17 Edward I., 1289, at the close of which year charges were made against him and the rest of the judges of bribery and corruption in their office. All of them were convicted, except two, and were subjected to large fines. Against Thomas de Weyland, however, a more heinous crime was imputed; that of instigating his servants to commit murder, and then screening them from punishment. After his apprehension he escaped from custody, and disguising himself, obtained admission as a novice among the friars minors at St. Edmondsbury. On the discovery of his retreat, the sanctuary was respected for the forty days allowed by the law; after which the introduction of provisions into the convent was prohibited. The friars, not inclined to submit to starvation, soon retired, and the fallen judge, finding himself deserted, was compelled to deliver himself up to the ministers of justice, and was conveyed to the Tower. The King's Council gave him the option to stand his trial, to be imprisoned for life, or to abjure the realm. To the latter he was entitled by virtue of his sanctuary, and he chose it.

[1] Dugdale's Orig. 44.; and Chron. Ser.

[2] Madox's Exch. ii. 66.

The ceremony consisted of his walking barefoot and bareheaded, with a crucifix in his hand, from his prison to the sea-side, and being placed in the vessel provided for his transportation. All his property, both real and personal, stated to have been of the value of 100,000 marks, was forfeited to the crown.[1] On May 2, 1290, 18 Edward I., his wife, Margery de Morse, by the hands of her valet, Thomas de Grey, delivered into the Exchequer a forulum with rolls of extracts of the amercements in Banco of several years in different counties.[2] She died in 18 Edward II., being then in possession of lands and tenements in Essex.[3]

From entries on the parliament rolls, it may be inferred that he transferred to the abbot of St. Edmundsbury two of his manors as a consideration for the asylum he sought there; and that several others of his manors were saved from the general wreck, by means of his wife and children being cofeoffees of them with him.[4]

No account of his future career is given, nor is the date of his death mentioned. He left three children, Thomas, Richard, and Alienor; and the family is now represented by John Weyland, Esq., of Woodrising in Norfolk.[5]

## WEYLAND, WILLIAM DE.

JUST. C. P. 1272.

*See* under the Reign of Henry III.

WILLIAM DE WEYLAND was the son of Herbert de Weyland, and Beatrix his wife. From September, 1261, 45 Henry III., he was escheator south of Trent; in which office he was succeeded in January, 1264, by William de Wendling, although there is one instance of a mandate addressed to him

[1] Lingard, iii. 270.; Law and Lawyers, ii. 133.; Abb. Rot. Orig. i. 61. 63, 64.
[2] Madox's Exch. ii. 256.
[3] Cal. Inquis. p. m., i. 317.
[4] Rot. Parl. i. 48. 51. 66.
[5] Burke's Landed Gentry.

in that character on April 24, 1265. In 56 Henry III., 1272, his name is inserted in the commission directed to the justices itinerant to the county of Leicester; and inasmuch as the roll of that year contains an entry of a payment made in September for an assize to be held before him for another county (Suffolk), there is very little doubt that he was then appointed a justicier at Westminster; the more especially as he was certainly a judge of the Common Pleas in the first year of Edward I., his name then appearing on the acknowledgment of a fine. There is no subsequent mention of him as a judge. By his wife, Marsilia, who afterwards married John Brandon, he left three sons, Richard, Nicholas, and the above-mentioned Thomas.[1]

## WILUGHBY, PHILIP DE, Dean of Lincoln.

B. E. 1275.

This name is variously spelled, as Wileby, Wyleby, Wiluby, Wilughby, &c., but is the same as that now usually denominated Willoughby.

It does not distinctly appear whether Philip de Wilughby belonged to the noble family in Lincolnshire, or to the knightly family in Nottinghamshire: but at his death he was possessed of the manor of Byflete in Surrey, and of other lands in Nottinghamshire, Kent, and Middlesex.[2] He was appointed a baron of the Exchequer before Michaelmas 3 and 4 Edward I., 1275, when he is mentioned as being present with that title. In the latter of these years he received the custody of one of the four keys of the royal treasury; his annual fee in the former capacity being forty marks, and in the latter 10*l.*[3] He was raised to the office of

[1] Excerpt. e Rot. Fin. 360—485. 580.; Dugdale's Orig. 44.; Burke's Landed Gentry.

[2] Cal. Inquis. p. m., i. 196.

[3] Madox's Exch. ii. 60. 62. 320.

chancellor of the Exchequer about 11 Edward I., 1283, and filled it till his death in 1305, 33 Edward I., a period of twenty-two years. During this time he frequently acted as locum tenens of the treasurer; and seems to have been so indefatigable in his attention to the duties of his office, that in 30 Edward I. the king, taking into consideration the length of his service, gave him a license to attend at the Exchequer when it suited his leisure and convenience.[1]

Like most of the officers of the court, he was of the clerical profession; and first obtained as his reward a canonry of St. Paul's, from which he was advanced, in June, 1288, 16 Edward I., to the deanery of Lincoln.[2]

## WOGAN, JOHN.

JUST. ITIN. 1292.

To John Wogan, in conjunction with Hugo de Cressingham, the dispute between the Queen and William de Valence and his wife was submitted, the result of which was stated to the parliament of 18 Edward I. At the same parliament, Hugo de Cressingham complained against him that he entered the Queen's court at Haverford, and impeded the proceedings; to which Wogan answered, that he did so only to prevent one of the tenants from doing fealty to the Queen for a tenement he held of William de Valence: and the case was referred for enquiry, but the decision does not appear.[3] In 20 Edward I., 1292, he was one of the justices itinerant assigned for the four northern counties.[4] He did not long fill this office, as he was appointed chief justice of Ireland on October 18, 1295, 23 Edward I.[5], and continued to hold that important post for the remainder of that, and for the first

[1] Madox's Exch. ii. 54. 96. 107. 188. 219. 320—325.; Abbrev. Placit. 201.
[2] Le Neve, 145.
[3] Rot. Parl. i. 31. 33.
[4] Dugdale's Chron. Series.
[5] Cal. Rot. Pat. 57.

twelve years of the next reign, when Roger de Mortimer was put in his place.

During the whole of this period he is occasionally mentioned in parliament, but does not appear to have acted judicially in England in the reign of Edward II.; for though he was named as a justice itinerant into Kent on May 13, 1313, 6 Edward II., he was removed from the commission ten days afterwards, on account of other business requiring his attention, and another was substituted for him.[1]

WORCESTER, Bishop of. *See* G. Giffard.

## WYMBURN, WALTER DE.

Justr. K. B. 1276.

In 46 Henry III., 1261, Walter de Wymburn is called the king's clerk, but whether civil or ecclesiastic is uncertain. He had then a grant of the king's year and a day on some land which had been escheated.[2] In 4 Edward I., 1276, he was appointed a judge of the King's Bench, with a salary assigned to him of forty marks a year[3]; and we find him acting in the same character in Easter, 15 Edward I., 1287[4]; and summoned to the council as late as October, 1288.[5] Spelman states, that during the tenth and thirteenth years of the reign he was chief justice[6]; but no authority is given, and I find no evidence of the fact, or that there was any interruption to Ralph de Hengham's presidency till the eighteenth year.

[1] Parl. Writs, i. 910., ii. 1631.
[2] Excerpt. e Rot. Fin. ii. 363.
[3] Dugdale's Chron. Series.
[4] Abbrev. Placit. 212.
[5] Parl. Writs, i. 18.
[6] Spelman's Gloss., ed. 1687, 342.

## WYNTON, ELIAS DE.

? B. E. 1295.

THE error which Dugdale has committed in introducing Master Elias de Wynton as a baron of the English, instead of the Irish, Exchequer, has been already explained under the name of Richard de Saham, in this reign.

## WYTHER, WILLIAM.

? JUST. ITIN. 1287.

WILLIAM WYTHER seems to have been merely a justice itinerant for pleas of the forest in Lancashire in 15 Edward I., 1287.[1] The only legal or judicial character in which he afterwards appears is as the last named of four commissioners appointed by the parliament, in 35 Edward I., to hear and determine a cause in North Wales between the Earl of Arundel and others.[2] His descendants removed from Lancashire, and are now represented by the Rev. Lovelace Bigg-Wither, of Manydown in Hampshire, where the family settled in the reign of Edward III.[3]

YORK, ARCHBISHOP OF. *See* W. DE GREENFIELD.

YORK, ARCHDEACONS OF. *See* R. BURNEL; J. DE CRAUCOMBE; W. DE HAMILTON.

YORK, DEAN OF. *See* W. DE HAMILTON.

[1] Dugdale's Chron. Series.
[2] Rot. Parl. i. 206.
[3] Burke's Landed Gentry, 1620.

# EDWARD II.

Reigned 19 years, 6 months, and 12 days; from July 8, 1307, to January 20, 1327.

## SURVEY OF THE REIGN.

WESTMINSTER HALL is mentioned for the first time in this reign as the place where the chancellor held his sittings: and the particular part of it is described as the "Magnum Bancum." The passage occurs in the record of the appointment of Walter Reginald, Bishop of Worcester, as chancellor, in July, 1310[1]; but, as it is followed by the words, "ubi Cancellarii Regis *sedere consueverunt*," we are left to imagine when the practice first commenced. Another record, in the nineteenth year of the reign[2], makes the earliest mention of the marble table, "Tabulam Marmoriam," at which he sat in the Hall. That it was the custom to seal the writs there appears from the entry, in 11 Edward II., of the delivery of the Great Seal, on the retirement of Chancellor Sandale, to the master of the Rolls and two clerks of the Chancery, who, it is said, "dictum magnum sigillum in magna aula Westm. hora tercia aperuerunt, et inde brevia consignarunt."[3] It may be presumed, therefore, that the matters which were referred to him, or to his temporary substitutes, were heard in this place.

The Rolls of Parliament, besides innumerable instances of petitioners being referred to the Chancery for writs to meet

[1] Rot. Claus. 4 Edw. II., m. 26.
[2] Dugdale's Orig. Jurid. 37.
[3] Rot. Claus. 11 Edw. II., m. 3.

their complaints, contain various entries showing that parties were permitted to sue there; and that it had the power of granting remedies which could not be obtained in the other courts. Writs are frequently directed to be issued to other judges to see that justice be done; and in some instances the answer to the petition is "sequatur per legem communem."[1] But as early as the second year of the reign a distinction appears to be taken; by the complainant being refused any redress to one point of his petition, because the king's right was clear, but as to another he is told "sequatur in Cancellaria."[2] This form frequently occurs; and sometimes it is followed by the still stronger terms, "et fiat ei justitia secundum consuetudinem Cancellariæ," and "fiat ulterius justitia in Cancellaria,"[3] or words to the same effect. On one occasion a party is referred to the Chancery, because she "non potest juvari per communem legem;"[4] and on another the direction is "veniat in Cancellaria et ostendat jus suum."[5]

All these seem to evidence the commencement of that peculiar and separate jurisdiction which now distinguishes the court. The references almost invariably arise upon complaints made to "the king and his council" in parliament; but there is one instance, in 9 Edward II., of a petition to the chancellor himself, who directs a writ of supersedeas, as prayed.[6]

"The clerks of the Chancery and other judges" were sometimes united with the chancellor in the hearing.[7]

Many other examples are given in the note at the end of the reign of Edward II. in the "Lives of the Chancellors," by Lord Campbell (vol. i. p. 206.), who is, however, mistaken in supposing that he presents them to the public *for the first time*, or that they are the result of the *recent searches* of Mr. Duffus Hardy; that able and intelligent antiquary

[1] Rot. Parl. i. 331. 399. [2] Ibid. 277. [3] Ibid. 317. 322. 331. 425.
[4] Ibid. 340. [5] Ibid. 389. [6] Ibid. 339. [7] Ibid. 325.

having, in the passages themselves, carefully noted the pages in the well-known work called "The Rolls of Parliament," from which he has industriously extracted them.

The chancellor still continued to be called "Cancellarius Regis," invariably, in the record of his appointment, and in almost every other document in which he is mentioned. But on two occasions the title "Chancellor of England," "Angliæ Cancellarius," is used; one in the first [1], and the other in the fourteenth [2], year of the reign. The title of LORD CHANCELLOR seems also to have been introduced about this period; at least, I have found one instance of its use.[3] That he remained the head of the king's chapel appears from a document cited by Madox, in which he is expressly styled "Chef de la Chapele nostre Seignour le Roy."[4]

The precedent under which the chancellor for the time being now claims, as his perquisite, the fragments of the broken Seal, when a new one is substituted for it, occurs in the thirteenth year of this reign. On June 4, 1320, the king, "in the green chamber in his palace of Westminster," caused two small seals to be brought before him, viz., one of the time of his father, of blessed memory, which was used in England when his father was in Flanders, and the other which was used in England when the present king was in France; and there caused the small Seal of his father's time to be broken, and delivered the pieces, "pecias argenti," to the chancellor "tanquam feodum ipsius cancellarii."[5]

Very few intervals occur during this reign in which the regular succession of chancellors was interrupted. The only one of any length was between December 9, 1311, when Walter Reginald, Bishop of Worcester, surrendered the Seal

[1] Rot. Claus. 1 Edw. II., m. 3.
[2] Rot. Parl. i. 365.
[3] Ibid. 302.
[4] Madox's Exch. i. 61.
[5] Rot. Claus. 13 Edw. II., m. 4.

as chancellor, and September 16, 1314, when John de Sandale received the appointment. During the earlier part of that interval, viz., till October 6, 1312, the master of the Rolls and two clerks of the Chancery acted as keepers of the Seal, which afterwards was restored to the Bishop of Worcester, not as chancellor, but as keeper; being the only instance of the same individual holding the inferior, after he had enjoyed the higher title.

On the death of King Edward I., on July 7, 1307, RALPH DE BALDOCK, Bishop of London, was chancellor; but as that event happened at Burgh-on-the-Sands, and the Bishop was in London, he remained in ignorance of it till July 25, and still continued to seal writs in the name of the deceased monarch up to that day. By the new king's commands the Seal was sent to him at Carlisle, where he received it on August 2.[1]

The chancellor then appointed, or soon after, for the precise date does not appear, was JOHN DE LANGTON, Bishop of Chichester, who had held the office for nine years in the previous reign. He retained possession of the Seal till the lords ordainers assumed the government, when he resigned, on May 11, 1310.[2]

Mr. Hardy introduces WILLIAM DE MELTON as keeper during Langton's chancellorship. His reason for this is, that on the occasion of the king's going to France to be married, on January 21, 1308, the Great Seal, which was then delivered up to the king by the chancellor, was placed in the hands of William de Melton, to be carried abroad with him in his wardrobe, of which department Melton was the comptroller. But the chancellor still remained in the full exercise of his office, for the king at the same time delivered to him, "in a certain red purse, another Seal lately made in London,

[1] Rot. Fin. 35 Edw. I., m. 1. [2] Rot. Claus. 3 Edw. II., m. 6.

for the government of the kingdom while the king was in foreign parts: " with which, on the next day, the chancellor sealed writs under the teste of Peter de Gaveston, Earl of Cornwall, who had been left custos of the kingdom.[1] The king returned on February 7; but, because the keeper of the wardrobe, in whose custody the Great Seal is expressly stated to have been, did not arrive till two days afterwards, no writs were sealed in the interim. On his landing the Great Seal was immediately restored to the chancellor, who delivered up the new Seal to the king[2], which, on the 15th of March following, sealed up in a purse of white leather, was deposited in the Exchequer by William de Melton, the comptroller of the wardrobe.[3]

Two other instances occur of the Seal being temporarily taken out of Langton's hands; when it was sent to the king, by his command, through Adam de Osgodby, the keeper of the Rolls. It was kept on the first occasion, June 9, 1308, only one day, and then returned to him. On the second, it remained with the king from the 15th to the 20th of June, when he received it back by the same messenger. No explanation is given of the first demand; but the cause of the second is apparent in the fact that, on June 16, the Seal was affixed to the patent constituting Peter de Gaveston lieutenant of Ireland[4]; a document to which the chancellor probably did not deem it expedient that his name should be attached.

On the resignation of John de Langton the Great Seal was, on May 11, 1310, delivered to INGELARD DE WARLEE to be kept in the wardrobe; and on the next day was again placed in the hands of William de Melton, together with ROBERT DE BARDELBY and JOHN FRAUNCEIS, to do those things which pertained to the office until the king should otherwise

[1] Rot. Claus. 1 Edw. II., m. 11.
[2] Rot. Fin. 1 Edw. II., m. 9.
[3] Ibid. Com. 1 Edw. II., rot. 40. b.
[4] Rot. Claus. 1 Edw. II., m. 3.

order.[1] Mr. Hardy inserts all these four as keepers; but the two latter were only clerks of the Chancery, and William de Melton held his former place of comptroller of the wardrobe, of which department Ingelard de Warlee was the keeper.

There is no other entry with regard to the Great Seal till the 6th of the following July; but it is clear that some change must have occurred in the interim, because the Seal is then stated to be in the custody of ADAM DE OSGODBY, the keeper of the Rolls, under the seals of the above-mentioned Robert de Bardelby and John Fraunceis; the name of William de Melton being altogether omitted.

On that day WALTER REGINALD or RAYNALD, Bishop of Worcester, received the Seal from the king; and it is somewhat curious that the Roll does not, as in other cases, state that he was constituted chancellor; but simply adds, "et sacramentum præstitit de officio Sigilli illius fideliter exequendo,"—words which would seem to imply that he was appointed keeper only. The record, however, proceeds to mention that on the next day the bishop opened the Seal at the great bench in Westminster Hall, where the *chancellors usually sat*[2], and subsequent documents designate him by the superior title.

During the remainder of the reign, and particularly in the next four years, the entries as to the possession of the Great Seal are extremely minute, exhibiting great jealousy as to its slightest movement. The whole realm was in a troubled state; ordainers had been forced upon the king; their ordinances had been promulgated; the king's resistance to them had resulted in the execution of his favourite, Gaveston, and his arms had been disgraced by his defeat at Bannockburn.

As the bishop was notoriously one of the king's friends,

[1] Rot. Claus. 3 Edw. II., m. 6.

[2] Ibid. 4 Edw. II., m. 26.

the ordainers would naturally be watchful that he did not put the Seal to any use detrimental to their power, or in opposition to their directions; and the caution of the chancellor himself would point out to him the expediency of recording every removal of the Seal, in order that he might not be made answerable for any act done under its fiat, while out of his possession. These reasons will sufficiently account for the various entries on the Rolls, of which an abstract will not be uninteresting.

The minutiæ of the details in these entries are somewhat ludicrous. The precise hour is often specially noted; but sometimes only referred to by the expressions "in crepusculo noctis," "hora matutinali," and "post prandium"; to the latter of which is added, on one occasion, "amota mensa ad quam tunc comedebat." We have also the very room in the palace of Westminster in which the scene is laid: viz. "the little chapel near the painted chamber," "the green chamber," and the "white chamber;" and the colour of the purse, whether red or white, in which the Seal is deposited, is sometimes carefully distinguished.

On December 12, 1310, when Bishop Reginald went from Newcastle to the king at Berwick, he committed the Great Seal to Adam de Osgodby, the keeper of the Rolls, to be kept by him under the seals of Robert de Bardelby and GEOFFREY DE WELLEFORD, to do what appertained to the office till his return; and he was absent a week.[1]

In this case the committal of the Seal was by the chancellor; but in the next it was by the king. The bishop, being about to proceed to the General Council at Vienne in Dauphiny, delivered the Seal, on August 27, 1311, to the king, who gave it to Adam de Osgodby, to keep under the seals of Robert de Bardelby and WILLIAM DE AYREMYNNE, all three of whom were to do the duties of the Seal till further order;

[1] Rot. Claus. 4 Edw. II., m. 17.

and it is added, that Adam, on the same day, sealed writs with it at his "hospitium" in the "Domus Conversorum" (now the Rolls House) in the presence of the other two. The Seal was delivered back on September 28, to the bishop; who on the 9th of December following again (and without any reason assigned) gave it up to the king, who placed it in his wardrobe; and on the next day ordered it to be delivered to the above three individuals, enjoining them to do what pertained to the office, and after the sealing to replace it in the wardrobe.[1]

By the last injunction it would seem that this was not a mere temporary movement of the chancellor; but that it was an absolute discharge from the office. Yet it appears that on the 19th of the same month the Seal was again in the bishop's possession, although there is no entry how it came there. He is therein described as delivering it with his own hand to the same parties.[2] The entry may be an accidental repetition of the same act with a different date, or more probably, as in the former instances the new custodes received the Seal from the officers of the wardrobe only, it was deemed necessary that it should be delivered with more formality by the chancellor himself.

These three custodes kept the Seal till December 30, when they took it to the king at Windsor, who, for anything that appears, retained it till January 20, 1312; when, by his command, they attended him at York, and sealed writs there.[3] This was the time when he made a new grant to Gaveston of his former estates and honours, and the Seal was no doubt required for that purpose. On this last occasion they probably, although it is not recorded, kept possession of the Seal; as it appears that on May 4 following, after the sealing of writs in the morning, Edmund de Mauley, the steward of

[1] Rot. Claus. 5 Edw. II., m. 21. 26. 27. [2] Ibid. m. 18.
[3] Ibid. m. 16.

the household, took away the Great Seal from Newcastle-upon-Tyne, under their seals, just three hours before the Earl of Lancaster entered the town. It was carried to Tynemouth to the king, who sailed from thence (with Gaveston) to Scarborough; but on the 17th he was again at York, when the Seal was given back by Edmund de Mauley to the three keepers, to execute the duties as before.[1]

The fate of Gaveston quickly followed, and the king was raising an army to punish Lancaster and his adherents. This may account for a different course being adopted with regard to the Great Seal; for on October 6 it was delivered to the Bishop of Worcester, the former chancellor, before the barons and justices of the Exchequer, with injunctions from the Earl of Pembroke and Hugh le Despencer, (who were the king's friends,) that, after sealing, it should remain in his custody, under the seals of the same three who had previously acted as keepers. In a subsequent record of the following April he is distinctly designated "Custos Magni Sigilli."[2]

The Seal continued in the custody of the bishop, (called in the entry of December 13, 1313, elect of Canterbury, and in that of April 1, 1314, Archbishop of Canterbury,) under the seals, generally of all the three, but sometimes of William Ayremynne only, who seems to have been more regularly in attendance, until April 5, 1314.

In 1313 very few movements are recorded, and the Seal is expressly stated to have remained in the bishop's possession when the king went into France, both in May[3] and December.[4] But in January, 1314, there are no less than eleven entries notifying where the Seal was used or deposited on as many days.[5]

Such extreme caution with regard to the custody of the Seal was soon after deemed necessary that on April 1, 1314,

[1] Rot. Claus. 5 Edw. II., m. 5. [2] Ibid. 6 Edw. II., m. 5. 26.
[3] Ibid. m. 4. [4] Ibid. 7 Edw. II., m. 13. [5] Ibid.

the king being then at St. Alban's, on his expedition to Scotland, commanded that the archbishop should place the Great Seal in a certain chamber in the Tower of London, under the seals of Adam de Osgodby and Robert de Bardelby, and that William de Ayremynne should reside there until the king should otherwise order. It would appear, however, that these directions were not immediately carried into effect, as after sealing writs both on that day and on April the 4th, the Seal remained in the custody of the archbishop, who on the 5th is stated to have gone to his manor of Otteford.[1]

As there is no further entry of his retirement from the office, though he is never afterwards mentioned in connection with it, and as he was solemnly enthroned as archbishop on the 19th, the above arrangement was probably made in contemplation of that event; leaving Adam de Osgodby and his two associates custodes of the Seal; by which title they are distinctly called in the next entry, which does not occur till September 16.

On that day JOHN DE SANDALE, then acting as *locum tenens* for the treasurer, was appointed chancellor[2]; and so continued for nearly four years, resigning on June 9, 1318, 11 Edward II.[3]

During this time he was occasionally absent from the court, either on the king's affairs or his own, when he was elected Bishop of Winchester, and when he made a pilgrimage to St. Thomas at Canterbury. When this happened, the Great Seal was left in the custody of Adam de Osgodby, or William de Ayremynne, successively keepers of the Rolls, or of HENRY DE CLIFF, a clerk in the Chancery, under the seals of two or three of the other clerks; all of whom appear sometimes to have done the duties pertaining to the Chancery. The clerks of the Chancery, so employed, were Robert de

[1] Rot. Claus. 7 Edw. II., m. 7. Ibid. 11 Edw. II., m. 3.

[2] Ibid. 8 Edw. II., m. 32.

Bardelby, ROBERT DE ASKEBY, and, on one occasion, HUGH DE BURGH.[1]

JOHN DE HOTHAM, Bishop of Ely, received the Great Seal, with the title of chancellor, on June 11, 1318, 11 Edward II.[2], and held it till January 23, 1320. The only occurrence of importance in connection with the office during the nineteen months of his ministry, was that, on October 26, 1319, the king gave him positive commands not to affix the Seal to any mandate from the communication of any other person, of what degree soever he might be, but solely by his own personal directions, or by the authority of his privy seal.[3]

Whenever he went away from the court on the king's affairs, which he did on several occasions, to negociate with the Earl of Lancaster and the discontented barons, the same course was adopted with regard to the Great Seal, as had been pursued under his predecessor. It was generally entrusted to William de Ayremynne, who was then master of the Rolls, sealed up with the seals of Bardelby, Askeby, Henry de Cliff, and Welleford, as before; to whom was now added WILLIAM DE CLIFF.[4]

JOHN SALMON, Bishop of Norwich, was the next chancellor, the Seal being placed in his hands on January 27, 1320, 13 Edward II.[5] Though he continued in office for more than three years and a half, the Seal, from one cause or other, was out of his possession for more than half of the time.

On his accompanying the king to the court of France, in June, 1320, to do homage for the duchy of Aquitaine, the Great Seal was deposited in a secure place, and the little Seal, used on occasions of the king's absence abroad, was left

[1] Rot. Claus. 8 Edw. II., m. 4.; 10 Edw. II., m. 8. 20. 27.; 11 Edw. II. m. 8. 11. 18.

[2] Ibid. 11 Edw. II., m. 3.

[3] Ibid. 13 Edw. II., m. 16.

[4] Ibid. m. 13.

[5] Ibid. m. 9.

in the hands of the keeper of the Rolls, under the seals of the clerks in Chancery, to be used for the government of the kingdom, under Aymer de Valence, Earl of Pembroke, who had been left custos.[1] The king and the chancellor returned on July 22.[2]

During the chancellor's visits to his bishoprick, his long illnesses, and his other occasional absences on the king's affairs, the disposition of the Great Seal is minutely recorded, and the names of the various clerks of the Chancery, under whose seals it was secured from time to time, are regularly entered on the Rolls. Besides those already noticed in former chancellorships, that of WILLIAM DE HERLASTON is added in this.[3] The keeper of the Rolls was the usual person who had the actual custody, but sometimes it was deposited for security in the wardrobe, and accordingly ROGER DE NORTHBURGH, the keeper of that department, has been introduced into the list of keepers of the Seal. Queen Isabella, also, for some time, had the care of it, and delivered it daily to the master of the Rolls for the purposes of business, receiving it back, sealed up as before, after each day's sealing.[4] The last time that the chancellor delivered the Seal to William de Ayremynne, the keeper of the Rolls, to be kept under the seals of William de Cliff and William de Herlaston, was on June 2, 1323, when he was confined to bed by sickness.[5] There is nothing, however, in the record to show that he was then removed from his office, any more than on former similar occasions; and it is not improbable that he bore the title for ten weeks longer, when

ROBERT DE BALDOCK, Archdeacon of Middlesex, received the Great Seal from the king's hands as chancellor, on August 20, 1323, 17 Edward II.[6], and retained it during

[1] Rot. Claus. 13 Edw. II., m. 4.
[2] Ibid. 15 Edw. II., m. 35.
[3] Ibid. 16 Edw. II., m. 6.
[4] Ibid. 14 Edw. II., m. 26.
[5] Ibid.
[6] Ibid. 17 Edw. II., m. 39.

the short and stormy remainder of the reign. The same three persons as before supplied his place in his only two short absences, before the king, on October 26, 1326, retired from the government on the execution of the elder Despencer. The Great Seal was sent to the Queen and Prince Edward, who placed it, on November 30, in the hands of William de Ayremynne, then Bishop of Norwich, to whom, on December 17, they added Henry de Cliff, who had become master of the Rolls.[1] The king's actual deposition was not completed till January 20, 1327, the day of his resigning the crown.

In the various movements of the chancellor in the king's company it was of course necessary to carry some of the Chancery Rolls with him; and we accordingly find a mandate directing the Abbot of Beaulieu Regis to provide a good and strong horse for that purpose.[2]

It will have been seen that on almost all occasions when the chancellor was absent from court, the keeper or master of the Rolls had the care of the Great Seal, under the seals of two of the other clerks of the Chancery, and transacted the business connected with it.

The succession of those who filled this office under Edward II. can be distinctly traced.

ADAM DE OSGODBY held it at the death of Edward I., and remained in possession till his own death in July or August, 1316.

WILLIAM DE AYREMYNNE, a clerk of the Chancery, was appointed on August 19, 1316[3]; the grant in this case being by the king, with the assent of the chancellor. He held it nearly eight years, and resigned on May 26, 1324, when his brother,

RICHARD DE AYREMYNNE, also a clerk of the Chancery,

[1] Rot. Claus. 20 Edw. II., m. 3.
[2] Ibid. 2 Edw. II., m. 2.
[3] Ibid. 10 Edw. II., m. 28.

by a grant from the king, with the like assent of the chancellor, received the appointment.[1] He was removed in little more than thirteen months; and

HENRY DE CLIFF, another clerk of the Chancery, succeeded him on July 4, 1325, the grant being by the king, and without any notice appearing of the chancellor's consent, as on the two former occasions. He is described as receiving the keys of the chests in which the Rolls were deposited, and as taking the oath of office "ad lapidem marmorium" in the great hall at Westminster.[2]

Adam de Osgodby and William de Ayremynne were also keepers of the House of Converts, Domus Conversorum, in Chancery Lane; but as the two offices were not permanently united till the reign of Edward III., I shall reserve till then the account of that institution.

The names of many of the principal clerks, or masters, in Chancery, appear in the preceding account of the various appropriations of the Great Seal. Those of others occur in similar records as being present on different occasions. There is, however, greater difficulty in this reign than in the last, in compiling a correct list; as in the summonses to parliament, the names of the judicial and legal persons who are required to attend are placed in no order or regularity.

Of the clerks who held office under Edward I., the following twelve acted in this reign also: —

| | | |
|---|---|---|
| Adam de Osgodby, M. R. | 1 to 10 | Edw. II. |
| Robert de Radeswell | 1, 2 | — |
| Peter de Dene | 1 to 15 | — |
| Thomas de Logore | 1 to 7 | — |
| John de Cadomo | 1 to 3 | — |
| Robert de Pykering | 1 to 19 | — |
| William de Pykering | 1 | — |
| Richard de Plumstok | 1 to 11 | — |
| Robert de Bardelby | 1 to 18 | — |

[1] Rot. Claus. 17 Edw. II., m. 10.

[2] Ibid. 18 Edw. II., m. 1.

| | | |
|---|---|---|
| John Bussh - - - - - - | 1 to 16 | Edw. II. |
| John Fraunceis - - - - - | 1 to 7 | — |
| Geoffrey de Welleford - - - - | 1 to 14 | — |

The other names I have met with are

| | | |
|---|---|---|
| William de Ayremynne (M. R. 10 Edw. II.) - | 1 to 17 | — |
| Robert de Askeby - - - - - | ?1 to 12 | — |
| Adam de Brome - - - - - | 6 to 20 | — |
| John Bray - - - - - - | 8 | — |
| William de Herlaston - - - - | 8 to 20 | — |
| Edmund de London - - - - | 9 to 16 | — |
| Hugh de Burgh - - - - - | 10 | — |
| John Terlyng - - - - - | 10 | — |
| John de Merton - - - - - | 10 to 15 | — |
| John de Crosseby - - - - - | 10 to 18 | — |
| Henry de Cliff (M. R. 17 Edw. II.) - - | 10 to 20 | — |
| Roger de Sutton - - - - - | 12 to 14 | — |
| William de Leycester - - - - | 12 to 18 | — |
| William de Cliff - - - - - | 13 to 16 | — |
| Henry de Edenestowe - - - - | 18 | — |

I have already referred to a record showing that these clerks were sometimes joined with the chancellor in hearing petitions. They also accompanied that functionary in his movements about the country while attending on the king. In some places particular residences were assigned to them and the chancellor. Thus, in 1 Edward II., John de Langton is described as sealing after dinner at his "hospicium" in the Domus Dei or Maison Dieu at Dover[1]; and in 19 Edward II., when Prince Edward, on sailing to France from that port, was lodged there, he executed a deed under his privy seal, acknowledging that the chancellor and his clerks, of ancient custom, had the right to be received there, and that his being suddenly quartered in the house, which was permitted by the chancellor's curtesy and forbearance, should not prejudice the then chancellor or his successors.[2]

Several records show that it was clearly the duty of the

[1] Rot. Fin. 1 Edw. II., m. 9. [2] Rot. Claus. 19 Edw. II., m. 29.

chancellor or the keeper of the seal to provide a table, if not a lodging, for the clerks. In 5 Edward II., when Bishop Reginald resigned the chancellorship, and the Great Seal was placed in the custody of William de Ayremynne, master of the Rolls, the king enjoined him "quod hospicium pro clericis teneret," as he had done before, when the Seal was in his keeping.[1] In 10 Edward II. also, the king's letters of safe conduct and intendance for one year were granted to the chancellor's poulterers, whom he had employed to provide poultry "pro sustentatione" of him and the king's clerks of the Chancery.[2]

The title "Magister" was almost invariably prefixed to the names of the clerks of the Chancery as members of the ecclesiastical order. It is no doubt from this circumstance that by degrees the term "masters" was universally assigned to them. We have the first instance of it in the petition of Robert de Haliwell, one of the subordinate clerks, praying for some benefice in reward for his services, in 18 Edward II.[3]; wherein he enumerates his claims, adding, "sicome MESTRES et le compaignouns de la chauncelerie bien le sevent." Another instance will be found in the next reign, where they are called "Mistres de la Chauncellerie."

The Court of King's Bench sat at various places besides Westminster during this reign. In the third year the king, by a mandate directed to Roger le Brabazon and his fellows, stating that he was desirous they should follow him, commanded them to be at York on the octave of St. Hilary, 1310, to hold his pleas there.[4] And in the fifth year they were enjoined by another mandate to be at York in three weeks of

[1] Rot. Claus. 5 Edw. II., m. 21.

[2] Madox's Exch. i. 76. Lord Campbell draws attention to this patent by a prominent marginal note, "Epicurism of lord chancellor John de Sandale." This is scarcely fair; would his lordship deem himself or any of the masters in Chancery liable to this accusation for eating a pullet?

[3] Rot. Parl. i. 418.

[4] Rot. Claus. 3 Edw. II., m. 19.

Easter, with the rolls, writs, and other things touching the proceedings.[1] But, according to the Abbreviatio Placitorum, no term was held at York till Michaelmas, 1318, 12 Edward II.; after which it would appear that the court sat there till Easter term, 1320, when another writ directs it to be transferred to Westminster.[2] We find it again seated there in part of the fifteenth and sixteenth years; and occasionally also, at different intervals, the judges kept a term at each of the following places, viz., Newcastle-on-Tyne, Lincoln, Shrewsbury, Worcester, Warwick, Guildford, and Norwich.

The appearance of the chief justice before the council in 6 Edward II., when he stated that on September 30, 1312, he had accidentally lost the Seal of his court, and prayed that no faith should be given to writs sealed with it after that date, is formally noted on the Close Roll.[3]

## Chief Justices of the King's Bench.

Roger le Brabazon, who was chief justice of the King's Bench on the death of Edward I., retained the office till February 23, 1316, 9 Edward II., when, in consequence of age and infirmity, he resigned.[4]

William Inge was his successor. The date of Inge's patent does not appear; but that by which Gilbert de Roubury was put in his place as a judge of the Common Pleas is March 10, 1316.[5] He held the office for about fifteen months, when it was given to

Henry le Scrope, then a judge of the Common Pleas, who was appointed on June 15, 1317.[6] He retired about September, 1323, in the seventeenth year, when

Hervey de Staunton, chancellor of the Exchequer,

[1] Rot. Claus. 5 Edw. II., m. 7.
[2] Ibid. 13 Edw. II., m. 9.
[3] Ibid. 6 Edw. II., m. 26.
[4] Rot. Pat. 9 Edw. II., p. 2. m. 31.
[5] Ibid. m. 22.
[6] Rot. Claus. 10 Edw. II., m. 2.

succeeded him in the presidency[1]; but on the 21st of the following March, he resumed his place as chancellor of the Exchequer, and

GEOFFREY LE SCROPE was promoted from a judgeship in the Common Pleas to the chief place in this court[2], where he remained till the end of the reign.

### JUDGES OF THE KING'S BENCH.

I. 1307-8. Of the three judges of this court at the death of Edward I.,

Gilbert de Roubury, Henry Spigurnell, were the only two who were called upon by writ to take the oath: but it is not improbable that the third

? William de Ormesby, though not named in the writ, may have been continued in the office, as he acted as a justice itinerant for several subsequent years.

X. 1316. Aug. 6. Lambert de Trikingham, removed from the Common Pleas to this court, loco G. de Roubury, made just. C. P.

XIV. 1320 Aug. Robert de Malberthorp, loco ? L. de Trikingham, made B. E.[3]

The judges of the King's Bench at the end of the reign were,

Geoffrey le Scrope, chief justice,
Henry Spigurnell, Robert de Malberthorpe.

The number of judges of the Court of Common Pleas throughout this reign was in general six; but for about three years, from 6 to 9 Edward II., a seventh was added. In the third year the business had so much increased, that a

[1] Rot. Pat. 17 Edw. II., p. 1. m. 9. [2] Rot. Claus. 17 Edw. II., m. 20.

[3] Under date 1322, Dugdale introduces Geoffrey de Say and William de Dyve as judges of the King's Bench; but I have felt bound to omit them, because the only authority he quotes, or which is to be found, is a passage from Leland's Collectanea, where they are merely called Justiciarii Regis, on account of their having been sent into Kent to try the adherents of Thomas de Badlesmere.

mandate was issued directing the judges to divide and sit in two places.[1] How long they continued this practice does not appear.

## Chief Justices of the Common Pleas.

Ralph de Hengham, the chief justice of this court at the end of the last reign, was re-sworn at the commencement of this, and kept his seat till his death in March, 1309: when

William de Bereford, then one of the judges of the Common Pleas, succeeded him; his patent being dated March 15, 1309, 2 Edward II.[2] He died in July, 1326, and was succeeded by

Hervey de Staunton, who had been chief justice of the King's Bench, and was then chancellor of the Exchequer, on July 18, 1326, 20 Edward II.[3] He sat for the short remainder of the reign.

## Judges of the Common Pleas.

I. 1307–8. William de Bereford, Hervey de Staunton, William Howard, Lambert de Trikingham, Peter Mallore,
all judges of this court at the end of the last reign, were re-appointed.

II. 1308–9. Nov. 27. Henry le Scrope, ? loco W. Howard, deceased.

III. 1309. Sept. 29. A new commission was issued by the king and the council assigning as justices,
William de Bereford, "who is chief by the king's command,"
Lambert de Trikingham, Hervey de Staunton,
Henry le Scrope; and two new ones, viz.,
John de Benstede, William de Bourne;
with a command that they should sit in two places on account of "the multitude of pleas."[4]

VI. 1313. Feb. 19. John Bacon.

[1] Rot. Claus. 3 Edw. II., m. 21.
[2] Rot. Pat. 2 Edw. II., p. 1. m. 9.
[3] Ibid. 20 Edw. II., m. 29.
[4] Rot. Claus. 3 Edw. II., m. 21.

| | | |
|---|---|---|
| VIII. | 1314. Sept. 28. | William Inge, loco H. de Staunton, made B. E. |
| IX. | 1316. Mar. 10. | Gilbert de Roubury, loco W. Inge, made Ch. K. B. |
| | April 20. | John de Mutford, loco ? W. de Bourne. |
| XII. | 1319. June 5. | John de Doncaster, loco ? H. le Scrope, made Ch. K. B. |
| XIV. | 1320. Oct. 16. | William de Herle, loco J. de Benstede. |
| | | John de Stonore, loco J. Bacon. |
| | 1321. May 21. | John de Bousser, loco G. de Roubury. |
| XVII. | 1323. July 9. | Walter de Friskeney, loco ? J. de Doncaster. |
| | Sept. 27. | Geoffrey le Scrope. |

The judges of this court at the end of the reign were,

Hervey de Staunton, chief justice,
John de Mutford, William de Herle,
John de Stonore, John de Bousser,
Walter de Friskeney.

The Exchequer was transferred from Westminster to York in Michaelmas, 12 Edward II.[1]; but in the next year of his reign, the king ordered it to be restored to Westminster, where it was accordingly held in Easter Term, 1320.[2]

The court was still disinclined to give up the trial of common pleas; and several writs of prohibition are referred to by Madox. One of the ordinances of the parliament of 5 Edward II. is to the same purport.[3]

The number of barons was generally six, but it does not seem to have been a fixed one; for in some years it was only five.

## CHIEF BARON OF THE EXCHEQUER.

THE title of chief baron was first used in this reign; but not at the commencement of it.

The senior baron at the end of the last reign was, as we

[1] Madox's Exch. ii. 9.
[2] Rot. Claus. 13 Edw. II., m. 9.
[3] Rot. Parl. i. 284.

have seen, WILLIAM DE CARLETON; and he was re-appointed at the commencement of this. That the title of *Chief Baron* did not then exist is apparent, not only from the terms of the patent to Carleton, in which no distinction is made between him and the two others who are named in it[1], but also from the simple title "Baro de Scaccario" being used in two grants dated October 24, 2 Edward II., one relieving him from attendance in consequence of ill-health and long service, and the other giving Thomas de Cantebrig authority to take his place in his absence, and to sit next to him when present.[2] Carleton soon after died.

This is the first instance of a baron being put out of his precedency; as at that time there were two barons, besides William de Carleton, who were senior to Thomas de Cantebrig. We may, therefore, conclude, that though the title of chief baron was not yet actually adopted, yet that a superiority was given to one over the rest; and this is proved by what followed.

THOMAS DE CANTEBRIG, thus holding the first place, was removed on July 17, 1310, 4 Edward II., when ROGER DE SCOTRE was appointed in his room.[3] During the short remainder of the life of the latter, not extending over two years, there is nothing to distinguish the precise place that he held in the court, except his appointment as Cantebrig's successor. But his position as the head of the barons may be interpreted from the course taken at his decease.

WALTER DE NORWICH had been constituted a baron on August 29, 1311, on the death of Walter de Gloucester; but another patent was granted to him on March 3, 1312, to be a baron in the place of Roger de Scotre[4]; and five days afterwards, Walter de Norwich was called "Capitalis Baro"

[1] Rot. Pat. 1 Edw. II., p. 1. m. 18.
[2] Madox's Exch. ii. 57, 58.
[3] Dugdale's Chron. Ser.
[4] Rot. Pat. 5 Edw. II., p. 2. m. 19.

in the patent granting the office of baron to John Abel, who is specially commanded to have the place in the court which Walter de Norwich first held.[1]

Although in several patents and writs issued to him in that and the two next years he is not distinguished by the superior title, there can be little doubt that he in effect enjoyed it.

When he was raised to the treasurership in 8 Edward II., he retired from the office of baron, and his place was supplied by Hervey de Staunton[2]; but there is nothing to show that either he or Ingelard de Warlee, who succeeded him two years afterwards, held the first place in the court at that time. Indeed, it seems more probable they did not, inasmuch as the latter certainly sat in an inferior place in the court after Walter de Norwich's re-appointment, which removed all difficulty upon the subject. On the latter resigning the office of treasurer on May 30, 1317, 10 Edward II., he was then, with a complimentary testimonial, specially and distinctly appointed "Capitalem Baronem,"[3] and held that office during the remainder of the reign.

## BARONS OF THE EXCHEQUER.

I. 1307. Sept. 16. Two only of the four barons who were in office at the end of the last reign were in the first instance re-appointed in this, viz.,
William de Carleton, ? Ch. B. E.
Roger de Hegham.
Their patent, however, included another, viz.,
Thomas de Cantebrig.
Nov. 10. John de Bankwell.
28. John de Everdon.

[1] Rot. Pat. 5 Edw. II., p. 2. m. 17. It is curious that in the brevia of that term, quoted by Madox (Exch. ii. 59.), the recital of the patent omits the word "capitalis."

[2] Rot. Pat. 8 Edw. II., p. 1. m. 20. [3] Ibid. 10 Edw. II., p. 2. m. 11.

| | | |
|---|---|---|
| | 1308. Jan. 20. | Richard de Abyndon, was restored to the place he held at the end of the last reign. Humfrey de Waledene, the remaining baron, was not re-appointed till the seventeenth year of this reign. |
| II. | 1309. Feb. 28. | John de Foxle, loco R. de Hegham, deceased. |
| IV. | 1310. July 17. | Roger de Scotre, ? Ch. B. E., loco T. de Cantebrig, removed. |
| | 1311. July 5. | Walter de Gloucester, ? loco J. de Banquel, deceased. |
| V. | Aug. 29. | Walter de Norwich, loco W. de Gloucester, deceased. |
| | 1312. March 8. | John Abel, loco W. de Norwich, ? made Ch. B. E. |
| VI. | 1313. Jan. 30. | John de Insula, ? loco J. Abel, made escheator. |
| VIII. | 1314. Sept. 28. | Hervey de Staunton, ? Ch. B. E., loco W. de Norwich, promoted to the treasurership. |
| | 1315. May 4. | John Abel, re-appointed. |
| X. | 1316. Dec. 29. | Ingelard de Warlee, loco Hervey de Staunton, made chancellor of the Exchequer. |
| | 1317. June 18. | John de Okham, loco R. de Abyndon, retired. |
| XII. | 1318. July 24. | Robert de Wodehouse, loco I. de Warlee, deceased. |
| XIV. | 1320. Aug. 6. | Lambert de Trikingham, loco J. de Insula, deceased. |
| | | Walter de Friskeney, loco ? John Abel, retired. |
| XVI. | 1322. July 20. | Roger Beler, loco I. de Foxle, retired. |
| | 1323. June 1. | William de Fulburn, loco ? R. de Wodehouse. |
| XVII. | Sept. 20. | Edmund de Passele, loco W. de Friskeney. |
| | 1324. May 21. | Robert de Ayleston, loco ? J. de Everdon. |
| | June 18. | William de Everdon loco, ? J. de Okham. |
| | | Humfrey de Waledene, loco ? L. de Trikingham. |
| | 1326. Sept. 1. | John de Radeswell, loco ? Roger Beler. |

The barons at the end of the reign were,

Walter de Norwich, chief baron,
William de Fulburn, William de Everdon,
Edmund de Passele, Humfrey de Waledene,
John de Radeswell.

In November, 1317, a royal writ was issued to the judges of the King's Bench, commanding them that "by reason of

any mandate under the Great or Privy Seal to them directed or thenceforward to be directed, they would in nowise omit to do justice for the king and others suing before them, neither denying nor delaying it to any one."[1]

A summons was issued by the king in his fifth year, addressed to seventeen judges and serjeants, who are designated "assistants," complaining of their having departed from the parliament without his licence, and requiring them to return to their places.[2]

TABLE OF THE CHANCELLORS AND KEEPERS OF THE SEAL, AND OF MASTERS OF THE ROLLS.

| A. R. | A. D. | CHANCELLORS OR KEEPERS. | MASTERS OF THE ROLLS. |
|---|---|---|---|
| 1. | 1307, July 8 | Ralph de Baldock, Bishop of London, *Chanc.* | Adam de Osgodby. |
| | ? | John de Langton, Bishop of Chichester, *Chanc.* | — |
| 3. | 1310, May 11 | Adam de Osgodby, M. R., *Keeper* | — |
| | July 6 | Walter Reginald, Bishop of Worcester, *Chanc.* | — |
| 5. | 1311, Dec. 10 | Adam de Osgodby, *Keeper* | — |
| 6. | 1312, Oct. 6 | Walter Reginald, again, *Keeper*, afterwards Archbishop of Canterbury | — |
| 8. | 1314, Sept. 26 | John de Sandale, afterwards Bishop of Winchester, *Chanc.* | — |
| 10. | 1316, Aug. 19 | — | William de Ayremynne. |
| 11. | 1318, June 11 | John de Hotham, Bishop of Ely, *Chanc.* | — |
| 13. | 1320, Jan. 26 | John Salmon, Bishop of Norwich, *Chanc.* | — |
| 17. | 1323, Aug. 20 | Robert de Baldock, Archdeacon of Middlesex, *Chanc.* | — |
| | 1324, May 26 | — | Richard de Ayremynne. |
| 18. | 1325, July 4 | — | Henry de Cliff. |
| 20. | 1326, Nov. 30 | William de Ayremynne, Bishop of Norwich, *Keeper* | — |
| | Dec. 17 | Henry de Cliff, M. R., added, *Keeper* | — |
| The king resigned his crown on January 20, 1327. | | | |

[1] Abbrev. Placit. 329.

[2] Prynne on 4 Inst. 40.

## TABLE OF THE CHIEF JUSTICES AND JUSTICES OF THE KING'S BENCH.

| A. R. | A.D. | CHIEF JUSTICES. | JUSTICES OF THE KING'S BENCH. | | |
|---|---|---|---|---|---|
| 1 | 1307, July 8 | Roger le Brabazon | Gilbert de Roubury | Henry Spigurnell | ? William de Ormesby. |
| 9 | 1316, March | William Inge | | — | — |
| 10 | Aug. 6 | — | Lambert de Trikingham | — | — |
| | 1317, June 15 | Henry le Scrope | — | — | — |
| 14 | 1320, Aug. 6 | — | Robert de Malberthorp | — | |
| 17 | 1323, Sept. | Hervey de Staunton | — | — | |
| | 1324, March 21 | Geoffrey le Scrope | — | — | |

## TABLE OF THE CHIEF JUSTICES AND JUSTICES OF THE COMMON PLEAS.

| A. R. | A. D. | CHIEF JUSTICES. | JUSTICES OF THE COMMON PLEAS. | | | | | |
|---|---|---|---|---|---|---|---|---|
| 1 | 1307, July 8 | Ralph de Hengham | William de Bereford | William Howard | Peter Mallore | Lambert de Trikingham | Hervey de Staunton | |
| 2 | 1308, Nov. 27 | — | — | Henry le Scrope | — | — | — | |
| | 1309, March 15 | William de Bereford | | — | — | — | — | |
| 3 | Sept. 29 | — | John de Benstede | — | William de Bourne | — | — | |
| 6 | 1313, Feb. 19. | — | — | — | — | — | — | John Bacon. |
| 8 | 1314, Sept. 28. | — | — | — | — | — | William Inge | — |
| 9 | 1316, March 10 | — | — | — | — | — | Gilbert de Roubury | — |
| | April 20 | — | — | — | John de Mutford | — | — | — |
| 12 | 1319, June 5 | — | — | John de Doncaster | — | | — | — |
| 14 | 1320, Oct. 16 | — | William de Herle | — | — | | — | John de Stonore. |
| | 1321, May 21 | — | — | — | — | | John de Bousser | — |
| 17 | 1323, July 9 | — | — | Walter de Friskeney | — | | — | — |
| | Sept. 27 | — | — | — | — | Geoffrey le Scrope | — | — |
| 20 | 1326, July 18 | Hervey de Staunton | — | — | — | | — | — |

The king was deposed on January 20, 1327.

## TABLE OF THE BARONS OF THE EXCHEQUER.

| A.R. | A.D. | CHIEF BARONS. | BARONS OF THE EXCHEQUER. | | | | | |
|---|---|---|---|---|---|---|---|---|
| 1 | 1307, Sept. 16 | ? William de Carleton | | Roger de Hegham | | Thomas de Cantebrig | | |
| | Nov. 10 | — | | — | | — | John de Bankwell | |
| | 28 | — | | — | | — | — | John de Everdon. |
| | 1308, Jan. 20 | — | | — | Richard de Abyndon | — | — | — |
| 2 | Oct. 24 | ? Thomas de Cantebrig | | — | — | | — | — |
| | 1309, Feb. 28 | — | | John de Foxle | — | | | — |
| 4 | 1310, July 17 | ? Roger le Scotre | | — | — | | | — |
| | 1311, July 5 | — | | — | — | | Walter de Gloucester | — |
| 5 | Aug. 29 | — | | — | — | | Walter de Norwich | — |
| | 1312, March 3 | ? Walter de Norwich | | — | — | | | — |
| | 8 | — | | — | — | | John Abel | — |
| 6 | 1313, Jan. 30 | — | | — | — | | John de Insula | — |
| 8 | 1314, Sept. 28 | | Hervey de Staunton | — | — | | — | — |
| | 1315, May 4 | | — | — | — | John Abel | — | — |
| 10 | 1316, Dec. 29 | | Ingelard de Warlee | — | — | — | — | — |
| | 1317, May 18 | Walter de Norwich | — | — | — | — | — | — |
| | June 18 | — | — | — | John de Okham | — | — | — |
| 12 | 1318, July 24 | — | Robert de Wodehouse | — | — | — | — | — |
| 14 | 1320, Aug. 6 | — | — | — | — | Walter de Friskeney | Lambert de Trikingham | — |
| 16 | 1322, July 20 | — | — | Roger Beler | ? — | — | — | — |
| | 1323, June 1 | — | William de Fulburn | — | — | — | — | — |
| 17 | Sept. 20 | — | — | — | — | Edmund de Passele | — | |
| | 1324, May 21 | — | — | — | — | — | ? — | Robert de Ayleston. |
| | June 18 | — | — | — | William de Everdon | — | Humfrey de Waledene | — |
| 20 | 1326, Sept. 1 | — | — | John de Radeswell | — | — | — | |

Justices itinerant and justices of assize were still appointed to perambulate the country, in addition to the regular judges of the courts at Westminster. Besides these, separate commissions of gaol delivery or oyer and terminer to different towns and counties were frequently issued; the judges in which appear to have been selected from those having local authority and influence. The latter, as they evidently stood more in the relation of justices of the peace, it of course has not been thought necessary to introduce, confining the account, as far as possible, to those who appear to have been regularly acting, and who were summoned in that character as assistants to the parliament.

Although the word Trailbaston does not occur in any record of the reign that I have seen, similar commissions were still granted; and one particularly, in 14 Edward II.[1], contains many of the expressions used in those issued in the preceding reign.

## JUSTICES ITINERANT.

I. 1307–8. John de Batesford, John de Berewyk, Edmund D'Eyncourt, John de Doncaster, Thomas de Fisheburn, Henry de Guldeford, Geoffrey de Hertelpole, William Inge, John de Insula, Hugh de Louther, Adam de Middleton, William de Mortimer, John de Mutford, John Randolph, Robert de Retford, John le Thorpe, Richard de Walsingham.

All these having acted in this character during the last reign are placed in the first year of this, although some of them do not occur till a later date.

IV. 1310–1. Richard de Bereford, Nicholas de Bolinbroke, Robert de Clyderhon, William de Colneye, William de Goldington, Walter de Gloucester, Milo de Rodborough, John de Westcote.[2]

[1] Rot. Parl. i. 371.

[2] Dugdale introduces *William de Concsby* at the head of one of the commis-

VII. 1313–4. Richard de Berningham.
VIII. 1314–5. Robert de Maddingley.
XI. 1317–8. Gilbert de Toutheby.

The delay of justice seems to have been as common in those days as in ours; and the murmurs were so loud in this reign, that the king felt it necessary in November, 1315, to issue a mandate to all the judges of the courts of Westminster to attend more regularly to the dispatch of business, and not to be absent without his special command.[1]

Although the judges were to swear "not to take any gift from any one for a plea or other matter before them, unless it were meat and drink for the day,"[2] it is to be feared that some of them, especially those who had jurisdiction in the provinces, were not wholly free from discreditable conduct. I do not, however, find that any of them were called to a strict account; but several commissions of enquiry into the conduct of taxors and collectors, sheriffs and their clerks, bailiffs, constables, keepers of prisons, and sub-escheators, evidence continued complaints of the oppressions they imposed upon the people, under colour of their offices, by "false imprisonments, indictments, heavy redemptions, intolerable distresses for unjust causes, and other extortions in money and goods."[3]

The impressions of the people are often best exhibited in the songs of the day. Mr. Wright, in his "Political Songs," has printed one of this reign, that so fully illustrates the popular feeling against the magistrates and the ministers

sions to justices of assize in this year; but I find no trace of such a name. It is no doubt a blunder of the copyist for *William de Ormesby*, a regular justice, one of whom was at the head of all the other commissions; the leading counties also being Norfolk and Suffolk, in which he usually acted.

[1] Rot. Claus. 9 Edw. II., m. 22. [2] Ibid. 1 Edw. II., m. 19.

[3] Rot. Pat. 12 Edw. II, p. 1. m. 12.; 14 Edw. II., p. 1. m. 3.; Rot. Fin. 14 Edw. II., m. 9.

of the law, that a free translation of it may not be unwelcome.[1]

How happy they, though lacking much, who are to all men just,
In whom iniquity excites abhorrence and disgust;
Whom gold or jewels cannot tempt their purity to stain,
Nor grant for favour to the rich what poor men ask in vain.

But many now pursue a path 'twere better they should shun,
Drawn on by love of worldly things, and hope of honours won;
Money's the great inducement now, and scarcely in the land
Is any court it does not bind as with a nuptial band.

Judges there are whom gifts seduce and favorites control,
Content to serve the devil alone and take from him a toll;
If nature's law forbids the judge from selling his decree,
How dread to those who finger bribes the punishment shall be!

Such judges have accomplices, whom frequently they send
To get at those who claim some land, and whisper as a friend,
"'Tis I can help you with the judge, if you should wish to plead,
Give me but half, I'll undertake before him you'll succeed."

The clerks who sit beneath the judge are open-mouth'd as he,
As if they were half famish'd and gaping for a fee;
Of those who give no money they soon pronounce the state;
However early they attend, they shall have long to wait.

If comes some noble lady, in beauty and in pride,
With golden horns upon her head, her suit he'll soon decide:
But she who has no charms, nor friends, and is for gifts too poor,
Her business all neglected, she's weeping shewn the door.

But worse than all, within the court we some relators meet,
Who take from either side at once, and both their clients cheat:
The ushers, too, to poor men say, "you labour here in vain,
Unless you tip us all around, you may go back again."

The sheriffs hard upon the poor who cannot pay for rest,
Drag them about to ev'ry town, on all assizes press'd,
Compell'd to take the oath prescrib'd without objection made,
For if they murmur and can't pay, upon their back they're laid.

[1] Wright's Political Songs, Camden Soc. p. 224. He inserts it under the reign of Edward I.; but in his note (p. 382.) he says that another MS. places it in the next reign.

They enter any private house or abbey that they choose,
Where meat and drink and all things else are given as their dues;
And after dinner jewels too, or this were all in vain,
Bedels and garçons must receive and all that form the train.

And next must gallant robes be sent as presents to their wives,
Or from the manor of the host some one his cattle drives;
While he, poor man, is sent to gaol upon some false pretence,
And pays at last at double cost, ere he gets freed from thence.

I can't but laugh to see their clerks, whom once I knew in need,
When to obtain a bailiwick they may at last succeed;
With pride in gait and countenance and with their necks erect,
They lands and houses quickly buy and pleasant rents collect.

Grown rich, they soon the poor despise, and new-made laws display,
Oppress their neighbours and become the wise men of their day;
Unsparing of the least offence, when they can have their will,
The hapless country all around with discontent they fill.

## Attornati Regis.

I. 1307-8. John de Chester, who held the office at the end of the reign of Edward I., we find acting in the third and fifth of this. In 10 Edward II. he was made marshal of the court.[1]

III. 1309-10. Mathew de Scaccario.[2]

VI. 1312-3. John de Norton.[2] By the patent he is appointed "Attornatum nostrum" in the Court of King's Bench, to hold as our other attorneys in times past.[3]

IX. 1315-6. William de Langley.[2]
Gilbert de Toutheby,
William de Herle, and
Geoffrey le Scrope.[4]

These three "sequuntur pro rege," and in the same year are mentioned as king's serjeants. Toutheby became justice itinerant in 11 Edward II.; Herle justice of the Common Pleas in 14 Edward II., and chief justice of that court in the next reign; and Scrope justice of the Common Pleas in 17 Edward II., and chief justice of the King's Bench in the same year.

[1] Abbrev. Placit. 311. 314. 325.
[2] Dugdale's Chron. Ser.
[3] Rot. Pat. 6 Edw. II., p. 1. m. 20.
[4] Rot. Parl. i. 352, 353. 359.

XI. 1318–9. Adam de Fyncham.[1] Also in 13, 16, and 18 Edward II.; where he "sequitur pro rege."[2]

XIV. 1320–1. Geoffrey le Scrope is mentioned again.[1]

XVI. 1322–3. Geoffrey le Fyngale, constituted November 6.[1]

## SERJEANTS.

III. 1309–10. Roger le Scotre, Edmund Passele.[1]

These are called "serjeants assigned for the king's pleas" in the margin, but not in the body of the writ.[3]

IX. 1315–6. William de Herle, Geoffrey le Scrope, Gilbert de Toutheby, John de Stonore.[1]

Dugdale inserts them in his column of serjeants as having a grant of 20*l.* per annum for prosecuting and defending in the king's business, and Toutheby and Geoffrey le Scrope were certainly king's serjeants.[4]

XIV. 1320–1. John de Denum.[1]

Most of these were summoned to parliament before they were raised to the bench; and John de Dénum, though summoned, was never a regular judge. Probably, therefore, they attended as serjeants-at-law.

## COUNSEL.

The following occur in the Year Book. The initials show the courts in which they first became judges: —

| | | |
|---|---|---|
| Aldeburgh, C. P., | Cressingham, | Hertelpole, J. Itin., |
| Ass. pro Asseby, | I. Devom, | Hervy, |
| J. Bacon, C. P., | W. Devom, | Hilary, C. P., |
| T. Bacon, C. P., | Everwyk, | Howard, |
| W. Basset, C. P., | Famecham, | Hunt, |
| Berewyk, | Fast. pro Fastolf, | Inge, C. P., |
| B. Bever, | Friskeney, B. E., | Ingham, |
| B. Beyner, | Godefrey, | King, |
| Bingham, | Godele, | Knight, |
| Brinkel, | Goldington, J. Itin., | Lamb, Lambert, |
| Bullyng, | Hales, | Lass', |
| Burgh, | Hampt', | Laund', Lound, |
| Burton, | Hedon, | Launfr', |
| Cantebrig, C. P., | Herin, | Lit', |
| Clav. pro Claver, | Herle, C. P., | Lofwick, |

[1] Dugdale's Chron. Ser.
[2] Abbrev. Placit. 336. 341. 353.
[3] Rot. Claus. 3 Edw. II., m. 21.
[4] Rot. Parl. i. 370.

Loveday,
Marleburg,
Marm',
Migg', Migham,
Mutford, C. P.,
Passele, B. E.,
Prilly,
Radenhale, J. Itin.,
Raston, Roiston, Rost, Rouston,
Ruston,
Reppis,
Rigg',
Ring,
Roteland,
Rothele,
Rouk,
Rumby,
Russel, Rustel,
Scorburgh, B. E.,
Scot, pro Scotre, B.E.,
G. Scrope, K. B.,
H. Scrope, C. P.,
Shard', pro Shardelow, C. P.,
Shareshull, K. B.,
Stingult,
Stonore, C. P.,
Storb,
Sutton,
Swylg,
Tekele,
Tilton,
Toutheby, J. Itin.,
Trevaignon, C. P.,
Trevor,
Trokie,
Walyng,
Warlee, B. E.,
Wast, Weston,
Waver,
Westbery,
Westcote, J. Itin.,
Willeby, C. P.

The cases reported in the Year Book extend throughout the reign to Trinity Term, 19 Edward II., 1326, with the exception of Michaelmas and Hilary Terms in the sixteenth year. They were compiled, according to Sir John Maynard's preface to the edition of 1678, by Richard de Winchedon, who lived at the period. Some few of the cases are in the King's Bench; but most of them are in the Common Pleas.

The Abbreviatio Placitorum supplies many valuable cases in the King's Bench, during the whole of the reign; and in David Jenkins's "Eight Centuries of Reports" are some others in the fifth, fifteenth, and eighteenth years. The proceedings in the "State Trials" are mere extracts from the histories of the period.

# BIOGRAPHICAL NOTICES

OF

# THE JUDGES UNDER THE REIGN OF EDWARD II.

## ABEL, JOHN.

B. E. 1312.

A GOLDSMITH named Richard Abel, who, in 27 Henry III., was appointed maker and cutter of the dies for the king's mint[1], was not improbably the father or grandfather of this John Abel; as the whole of the large property of the latter was situated in the neighbourhood of London. John Abel was engaged in the king's service in 28 Edward I.[2], and two years afterwards we find him seneschal of the Queen and custos of her lands.[3] Both he and his wife were summoned to the coronation of Edward II. among those selected from the county of Kent.

On March 8, 1312, 5 Edward II., he was constituted one of the barons of the Exchequer, and in the next year he received the office of king's escheator, the duties of which he performed, principally on the south of Trent, till the eighth year.[4] During that time he was employed to fix the tallage on the city of London and on the king's burghs, &c., in the home counties; and was also directed to attend the council, with instructions to be in readiness to proceed on the king's service beyond the seas.

[1] Madox's Exch. ii. 88.
[2] Abbrev. Rot. Orig. i. 112.
[3] Rot. Parl. i. 146—205.
[4] Abbrev. Rot. Orig. i. 195—216.

It would appear that when he entered on the functions of escheator, he resigned his seat in the Exchequer, for he was re-appointed a baron on May 4, 1315, 8 Edward II. Though his services were continued till near his death, which took place in 16 Edward II., he was probably removed from the Exchequer in 14 Edward II., because he was not summoned to parliament beyond that year, and because a new baron was then nominated. He died possessed, among others, of large estates at Footscray and Lewisham in Kent, at Rochford in Essex, and at Camberwell in Surrey, besides the manor of Dadyngton in Oxfordshire, about which there was afterwards a suit in parliament between his three daughters by his wife Margery, and their husbands, and the Earl of Norfolk, who claimed it by a subsequent grant from Edward III.[1]

## ABYNDON, RICHARD DE.

B. E. 1307.

*See* under the Reign of Edward I.

RICHARD DE ABYNDON held the important office of chamberlain of North Wales from the twelfth to the eighteenth year of the reign of Edward I.; his duty being the collection and disbursement of the royal revenues in that newly subjugated country.[2] He had no doubt been previously connected with the Exchequer in England, where, rising by degrees, he was, on October 17, 1299, 27 Edward I., constituted one of the barons of that court, in the room of John de Cobbeham, and kept his place there during the rest of that king's life. In 37 Edward I. he and another were appointed custodes of the vacant bishoprick of Ely. It would appear that at the commencement of the next reign, he was not immediately

[1] Parl. Writs, ii. 421.; Cal. Inquis. p. m., i. 303.; Rot. Parl. ii. 391.
[2] Archæol. Journ. vii. 239.

re-sworn a baron, as he was omitted in the patent of September 16, 1307: but on January 30, 1308, he had a special patent constituting him a baron, "ita quod in eodem Scaccario habuit eundem locum quem habuit tempore Domini Edwardi quondam regis Angliæ, patris regis nunc." A salary of forty marks was attached to his office, in which he continued to act for the next ten years.[1] There is a complaint against William Randolf, in the parliament of 9 Edward II., for insulting and imprisoning him and three others, justices who were assigned to hear and determine certain matters in the city of Bristol.[2] The next year his powers failed him; and John de Okham was appointed his successor by a patent of 10 Edward II., dated June 18, 1317, in which his infirmity is thus described: "quia dilectus clericus noster Ricardus de Abyndon, unus baronum nostrorum de Scaccario, adeo impotens sui existit, quod ea quæ ad officium illud pertinent non potest commode exercere." He certified in 9 Edward II. as lord of the township of Horton in Gloucestershire.[3]

## ASKEBY, ROBERT DE.

? KEEPER, 1316.

As early as 25 Edward I., 1297, Robert de Askeby held some office in the Chancery; all the writs of Privy Seal directed to the chancellor after the king's embarkation to Flanders being then delivered into his custody.[4] Like his fellows he was an ecclesiastic; and in the thirtieth year we find him, as parson of the church of Dokelington in Oxfordshire, engaged in a suit with the abbot of Osney about tithes.[5] Again, in 35 Edward I., he is described as rector of Hale in Lincolnshire, and in the parliament then held at Car-

[1] Dugdale; Abbrev. Rot. Orig. i. 120.; Madox's Exch. ii. 57. 59. 325.
[2] Rot. Parl. i. 360.
[3] Parl. Writs, ii., Div. ii. 114. 361.
[4] Parl. Writs, i. 56.
[5] Abbrev. Placit. 246.

lisle, he was one of the proctors for the Bishop of Lincoln.[1] It would appear that in 8 Edward II. it was his business to make up the Parliament Roll, as a reason is then assigned why a certain ordinance had been omitted by him; and it is not till the parliament held at Lincoln in the following year, when he was appointed one of the receivers of the petitions for England, that he is styled a clerk in the Chancery.[2]

On August 16, 1316, 10 Edward II., the chancellor, John de Sandale, being about to proceed from York to London on the business of his election to the bishoprick of Winchester, was desired to leave the Great Seal in the custody of William de Ayremynne, the keeper of the Rolls, under the seals of Robert de Bardelby and Hugh de Burgh, clerks of the Chancery, until the coming of Robert de Askeby, who was then to be substituted for the latter.[3] He arrived there on September 16, and the Seal so remained till December 6, when the chancellor returned. It is evident, therefore, that he then held a high place among the clerks. The same course was adopted on November 9, 1317, when the same chancellor went to his bishoprick on business; and again, (with another name added,) from February 13 to 19, 1318, on the bishop's taking a pilgrimage to St. Thomas of Canterbury; and on March 29, when he went to Leicester.[4]

On the following June 11, John de Hotham, Bishop of Ely, was appointed chancellor, and two days afterwards, being sent away on the king's affairs, the Seal was left with the keeper of the Rolls, Robert de Bardelby, Henry de Cliff, and Robert de Askeby; and all four, or two of them, were directed to do the business of the Chancery till he returned. The Seal was held in this manner till August 4, with certain short intervals, during which the chancellor was temporarily

[1] Rot. Parl. i. 189. 460.
[2] Ibid. 290. 350.
[3] Rot. Claus. 10 Edw. II., m. 27.
[4] Ibid. 11 Edw. II., m. 8. 11. 18.

present; but Robert de Askeby obtained leave to return home from Northampton on July 20.[1] His name does not appear later than the following year.[2]

A Robert de Askby was appointed chancellor of Ireland in 15 Edward III., 1341.[3]

## AYLESTON, ROBERT DE, ARCHDEACON OF BERKS.

B. E. 1323.

*See* under the Reign of Edward III.

## AYREMYNNE, RICHARD DE, CHANCELLOR OF NORWICH AND SALISBURY.

M. R. 1324. ? KEEPER, 1324.

RICHARD DE AYREMYNNE was a younger brother of William, Bishop of Norwich, the subject of the next notice. It does not distinctly appear that he was one of the clerks of the Chancery previously to his elevation to the office of keeper or master of the Rolls; but he probably was so on Dec. 2, 1319, 13 Edward II., when he is recorded as being present at a delivery of the Great Seal.[4] On May 26, 1324, he was constituted keeper of the Rolls in the place of his brother William[5]; and on November 16 following, the Great Seal was placed in his custody, under the seals of two other clerks, till December 12, the chancellor, Robert de Baldock, being then engaged on a mission to the Scots.[6]

He held the keepership of the Rolls for little more than a year, Henry de Cliff being substituted for him on July 4, 1325.[7] No explanation is given of his removal, but it seems not improbable that it was connected with some suspicions then arising as to his brother's fidelity, as it occurred two

[1] Rot. Claus. 11 Edw. II., m. 8.
[2] Parl. Writs, ii. P. i. 200.
[3] Cal. Rot. Pat. 140.
[4] Rot. Claus. 13 Edw. II., m. 13.
[5] Ibid. 17 Edw. II., m. 10.
[6] Ibid. 18 Edw. II., m. 26.
[7] Ibid. m. 1.

days after the death of John Salmon, Bishop of Norwich, whose see was then the subject of contention. On his brother's consecration to that bishoprick in the following September, Richard, who was then rector of Elvelay, was made chancellor or vicar-general of the diocese.[1]

It seems probable that both he and his youngest brother Adam joined William de Ayremynne in France, inasmuch as the king, in a writ dated March, 1326, complains of their refusal to appear before him, and commands the Archbishop of York to enforce their attendance.[2]

On March 1, 1327, soon after the accession of Edward III., he is mentioned as clerk of the Privy Seal[3]; and on the 8th of that month he was appointed custos of the House of Converts for life[4], an office which had been filled by his brother William. Richard resigned it on June 7, 1339.[5]

The chancellorship of the church of Salisbury was added to his ecclesiastical preferments on July 16, 1329; and as his successor in this dignity was collated on April 19, 1340, the vacancy was probably occasioned by his death.[6]

## AYREMYNNE, WILLIAM DE, Bishop of Norwich.

? Keeper, 1311. M. R. 1316.

Presuming that a patent of 2 Edward III. applies to this bishop, we have his pedigree for three generations. By it divers lands, tenements, and rents in the town of Ayrmyn and elsewhere are confirmed to "William the son and heir of John the son of Adam the son of Sewall de Ayrmyn" in fee.[7] Another authority leaves out John, and makes him the son of Adam, and states that his mother's name was Matilda. The family was an ancient one, and was then

[1] Bloomfield's Norwich, i. 501.
[2] Rot. Claus. 19 Edw. II., m. 9.
[3] Rot. Parl. ii. 440.
[4] Rot. Pat. 1 Edw. III., p. 1. m. 13.
[5] Ibid. 13 Edw. III., p. 1. m. 10.
[6] Le Neve, 215. 268.
[7] Cal. Rot. Pat. 102.

settled at Osgodby, in Lincolnshire.[1] William was the eldest of three sons, his brothers being the last mentioned Richard, and Adam, Archdeacon of Norfolk.

In January, 1307, 35 Edward I., William de Ayremynne first appears, with the title of clericus, as proxy for the Abbot of St. Augustin's, Canterbury, in the parliament then held at Carlisle.[2] He is not then called, though probably he was, one of the clerks in the Chancery, but he is so described in 5 Edward II., when, from August 27 to September 28, 1311, the Great Seal was placed in the hands of the keeper of the Rolls during the absence of Bishop Reginald, the chancellor, under the seals of him and Robert de Bardelby.[3] It was no doubt while he was a junior in the office that he was sent by the chancellor to summon to parliament the Abbot of Oseney, who had used every evasion to avoid obeying the writs. William de Ayremynne "cunningly gained access to the abbot in the disguise of a penitent. So far he was successful, but as soon as his errand was disclosed, he received such a salutary discipline from the knotted scourges provided by the monks for the benefit of the visitors to the shrine of St. Brithwold, as induced him to decamp most speedily, adopting with entire sincerity the character which he had assumed."[4]

When Bishop Reginald resigned the chancellorship on December 9, 1311[5], three keepers of the Seal were named, Adam de Osgodby, keeper of the Rolls, Robert de Bardelby, and William de Ayremynne. They exercised all the functions of the office till it was restored to the bishop, on October 6, 1312[6], with the diminished title of keeper of the Seal. That important deposit, however, still continued to be secured under the seals of the above three till the nomina-

[1] Angl. Sac. i. 802.; Fuller.
[2] Rot. Parl. i. 190.
[3] Rot. Claus. 5 Edw. II., m. 27.
[4] Sir F. Palgrave's Merchant and Friar, 70.
[5] Rot. Claus. 5 Edw. II., m. 21.
[6] Ibid. 6 Edw. II., m. 26.

tion of John de Sandale as chancellor, in September 1314; and once also in the following year. Ayremynne was specially appointed to act as the clerk of the parliament which met at Lincoln in January, 1316, 9 Edward II.[1], and on the 19th of the following August was raised to the office of keeper or master of the Rolls, vacant by the death of Adam de Osgodby.[2] In this character the Great Seal was frequently placed in his custody, under the seals of three clerks, to perform the duties of the Chancery, when the chancellors John de Sandale, John de Hotham, Bishop of Ely, and John Salmon, Bishop of Norwich, were absent from court. During this period, about the year 1319, having joined the Archbishop of York, the Bishop of Ely, and others at the head of an irregular army of 8,000 men raised for suppressing the incursions of the Scots, they proceeded with so little caution that on being attacked they were quickly thrown into confusion and were entirely routed, more than half being slain or drowned in the river Swale. The two prelates escaped, but William de Ayremynne was taken prisoner[3], and probably remained in durance till the completion of the truce at the end of the year. From the number of priests and monks in the English ranks, the name of the White Battle was given to this encounter.[4]

William de Ayremynne retained the office of keeper of the Rolls for nearly eight years, resigning it on May 26, 1324, when, no doubt by his influence, his brother, Richard de Ayremynne, received the appointment.[5] He then became keeper of the king's Privy Seal, and in the following August had the Great Seal again committed to his custody during the temporary absence of Robert de Baldock, then chancellor.[6]

[1] Rot. Parl. i. 350.
[2] Rot. Claus. 10 Edw. II., m. 28.
[3] Holinshed, iv. 359.
[4] Weever, 792.
[5] Rot. Claus. 17 Edw. II., m. 10.
[6] Ibid. 18 Edw. II., m. 38.

His preferment in the church proceeded no less rapidly than his civil advancement. He held the valuable rectory of the parish of Wearmouth; in addition to which he successively received canonries in the cathedrals of St. Paul's, Lincoln, York, Salisbury, and Dublin. Not content with these rich benefices, he aimed at a seat on the episcopal bench; and it is related that, happening to be at Rome as an ambassador from King Edward, in July, 1325, when Bishop Salmon died, he used the opportunity so adroitly as to obtain the pope's nomination to the see of Norwich, utterly regardless of the wishes of his sovereign, who had selected the chancellor, Baldock, as the new bishop.[1] This story seems, however, to be contradicted by the fact that on March 6, 1326, the king addressed a letter to him, calling him "Episcopus ut dicitur," summoning him to appear before the council on the 7th of April following, to answer certain charges alleging that he had, contrary to his instructions as the king's ambassador, agreed with the King of France that he should retain possession of certain lands in the duchy of Aquitaine, after homage had been done for them by Prince Edward.[2] It is evident, therefore, that he was in France, and not in Rome, at the time; and there is little doubt that it was through Queen Isabella's influence that Ayremynne obtained the papal nomination, her interference being purchased by his devotion to her cause. He was consecrated in France, on September 15, 1325, and offered to do the customary homage to the king in the following December, praying, at the same time, the restitution of the temporalities, which, he says in his petition, were refused by his sovereign at the instigation of Hugh le Despencer, the younger, and Robert de Baldock.[3] He still remained in France till he accompanied Queen Isabella on her landing in England, in September, 1326.

[1] Angl. Sac. i. 413.
[2] Rot. Pat. ii. 20.
[3] Rot. Claus. 19 Edw. II., m. 12.

On November 30, the Great Seal, which the king had in the meantime sent to the queen and prince, was placed in Ayremynne's hands, to do what business was necessary with it; and on December 17, Henry de Cliff, the keeper of the Rolls, was joined with him in its custody, which they jointly retained till the king's resignation of his crown, on January 20, 1327.[1]

Under Edward III. he held no official position till April 1, 1331, when he was appointed treasurer[2], and filled that office about a year. He presided over the bishoprick of Norwich nearly eleven years, making his brother Richard chancellor of the diocese, and collating his brother Adam to the archdeaconry of Norfolk. He died at his house at Charing, near London, on March 27, 1336, and was buried in his cathedral.[3]

Throughout the thirty years of his official career, there is nothing to moderate the unfavourable impressions which his conduct tends to create. With cunning and craft in the outset, with covetousness in the progress, and with ingratitude and treason at the end, he seems far more deserving of popular aversion than his contemporary Robert de Baldock, the chancellor, who, though perhaps answerable for not more wisely directing a weak monarch, was faithful and true to the last.

## BACON, JOHN.

Just. C. P. 1313.

The title of Clericus Regis was almost always affixed to the name of John Bacon before he was raised to the bench. He held the office of "Custos rotulorum et brevium de Banco," certainly from, if not before, May, 1288, 16 Edward I.; for among the indentures in the treasury of the Exchequer is

[1] Rot. Claus. 20 Edw. II., m. 3. [2] Rot. Pat. 5 Edw. III., p. 1. m. 18.
[3] Godwin de Præsul. 433.; Angl. Sac. i. 802.; Blomefield's Norwich, i. 501.

one of that date, the earliest existing instrument of the sort, acknowledging the delivery by him of certain "pedes finium" to the treasurer and chamberlains. These are renewed at various intervals throughout the remainder of the reign, and in the first year of that of Edward II.[1] In the third year he was directed to have a counter-roll of all pleas. The custody of Ledes castle in Kent was committed to him in 19 Edward I.[2]; and two years before he is mentioned as one of the executors of Queen Eleanor, the record calling him "attorney."[3] His name appears among the advocates in the Year Book, in the earlier years of Edward II.; and in the sixth year, on February 19, 1313, he was advanced to the bench of that court, in which he had so long been an officer; and he continued a judge there till the fourteenth year, during which, viz., on October 16, 1320, John de Stonore was appointed in his place.[4] He is, however, noticed in the following March as one of the justices assigned for the punishment of sheriffs, &c., in Norfolk and the neighbouring counties.

In 21 Edward I. he received permission to inclose a certain way in Reston in Suffolk[5]; and in 9 Edward II. he certified as having possessions in the townships of Shouldham in Norfolk, and of Hemingston, Cleydon, and Akenham, in Suffolk.[6]

## BALDOCK, RALPH DE, ARCHDEACON OF MIDDLESEX, DEAN, AND BISHOP OF LONDON.

CHANCELLOR, 1307.

*See* under the Reign of Edward I.

RALPH DE BALDOCK is stated by Godwin[7] to have been educated at Merton College, Oxford; but this could scarcely

[1] Cal. Exch. iii. 99—112.
[2] Abbrev. Rot. Orig. i. 66.
[3] Devon's Issue Roll, 98.
[4] Cal. Rot. Pat. 79. 88.
[5] Ibid. 56.
[6] Parl. Writs, ii, P. ii. 464.
[7] Godwin de Præsul. 185.

have been the case, as he was Archdeacon of Middlesex within two years after that college was completed. The place of his instruction was more probably the convent of Merton in Surrey. How his early years were employed does not appear; but it is not unlikely that he filled some office in the courts. The first mention of him is in 1276, 4 Edward I., when he was collated Archdeacon of Middlesex, from which he was raised, on October 18, 1294, to the Deanery of St. Paul's, by which title he was summoned to parliament on October 13, 1300, 28 Edward I.[1] On the death of Richard de Gravesend he was elected Bishop of London, February 24, 1304; but owing to some dispute his consecration was delayed till January 30, 1306.[2]

His nomination to the chancellorship took place on April 21, 1307, 35 Edward I., the day after the death of William de Hamilton, his predecessor in the office.[3] King Edward died on the 7th of the following July, at Burgh-on-the-Sands; and there is a curious entry on the Fine Roll, showing that Ralph de Baldock, being then in London and ignorant of that event having occurred, continued to seal writs of course till July 25. On the following Saturday he received the new king's commands to send him the Great Seal, which was accordingly delivered to the king at Carlisle on August 2.[4]

In 3 Edward II., he was appointed one of the ordainers for the management of the affairs of government, and the king's household.

During the remainder of his life, he commenced the erection of the chapel of St. Mary in his cathedral, and at his death bequeathed a sum sufficient for its completion. He died at Stepney, on July 24, 1313, and was buried in that chapel. He left some works which proved his devotion to

[1] Cole's Documents, 333.
[2] Le Neve, 177. 183. 192.
[3] Cal. Rot. Pat. 67.
[4] Rot. Fin. 35 Edw. I, m. 1.

literature; among which was one entitled "Historia Anglia, or a History of British Affairs down to his own time." He also made "A Collection of the Statutes and Constitutions of the Church of St. Paul's." [1]

## BALDOCK, ROBERT DE, ARCHDEACON OF MIDDLESEX.

CHANCELLOR, 1323.

WHETHER Robert de Baldock was in any way related to Ralph de Baldock, Bishop of London, the chancellor at the beginning of this reign, does not appear. The earliest notice I have found of his history is a grant to him, in 15 Edward I., of all the king's right in the knight's fees, which Roger de Clifford held conjointly with John de Crombwell and Idonea his wife, and also of the manor of Shalford in Surrey, lately belonging to Roger, who was attainted.[2] The next entry, however, is of a different character, being a fine of twenty marks imposed upon him in Durham, in 34 Edward I., 1306, for some unadvised obedience to a papal precept without notice given to the king and his council; the Archdeacon of Cleveland being at the same time fined 100*l.* for the same offence.[3] We may presume, therefore, that Master Robert de Baldock (as he is always called) then held some ecclesiastical benefice in the north.

In 1314, 8 Edward II., he became Archdeacon of Middlesex[4], a dignity which Ralph de Baldock had also held twenty years before. Probably at that time, and certainly two years afterwards, he filled some office about the court, as from February, 1317, 10 Edward II., he was regularly summoned to the council and parliaments among the judges and other legal personages. In June, 1320, he was keeper

[1] Encyc. Brit.
[2] Cal. Rot. Pat. 91.
[3] Abbrev. Placit. 258.
[4] Le Neve, 192.

of the king's Privy Seal, and in the following year was sent by the king and council, with other solemn envoys, to treat for a peace with the Scots at Bamborough; for his expenses in which mission, during the months of January, February, March, and April, he was allowed the sum of 60*l.* in the wardrobe accounts.[1] During the next two years he advanced rapidly in the royal favour, being continually about the king's person, and numerous commissions appear with the authentication of his name. The Despencers, father and son, were then in the height of their ascendancy; and by his connection with their councils, he shared in the aversion with which they were regarded by the nobles and the people, and which was increased rather than diminished by their triumph over the Duke of Lancaster.

He was at last raised to the chancellorship on August 20, 1323, 17 Edward II.[2], but had little cause to rejoice in his advancement. Though the defeat at Boroughbridge and the execution of the duke had produced a temporary quiet, within a few months after he had received the Seal a conspiracy by Roger Mortimer and others was discovered, or invented, the object of which was the murder of Baldock and the royal favourite. Though he escaped from this danger, he could not but experience many misgivings as to the results that were likely to follow from the arrogant indiscretions of Despencer. He seems to have been only twice absent from court during his tenure of office, the first time in August, 1324, for the purpose of recreation; and the last in the following November, when he was sent on a mission to the Scots.[3]

A vacancy having occurred in the see of Norwich in July, 1325, by the death of Bishop Salmon, Baldock was elected his successor. The king's assent was given on the 28th of

[1] Archæologia, xxvi. 334.
[2] Rot. Claus. 17 Edw. II., m. 39.
[3] Ibid. 18 Edw. II., m. 26. 38.

that month, and the archbishop's confirmation on August 11, followed on the next day by the restoration of the temporalities. A rumour, however, reaching him that the pope had reserved the presentation for himself, he renounced the election on September 3, an act which speaks well for his moderation, and his anxiety to prevent a collision between his sovereign and the papal court. As his successful rival was no other than William de Ayremynne, who had been keeper of the Rolls, and was then keeper of the Privy Seal [1], and engaged on an embassy to France, it is not surprising that Edward should have felt indignant, and should have refused to restore the temporalities to him.

Baldock's concurrence in the advice which prompted Edward to fall into the trap laid by the French king, by which Queen Isabella was permitted to proceed to France, and the weak king was induced to give up Guienne and Ponthieu to his son, and to send the latter to do homage for them, is conclusive evidence that he cannot be considered a wise counsellor; for though perhaps the plan had not yet been formed that led to results so fatal to his sovereign and himself, there were sufficient indications of danger at home, and of treachery in the conduct of Charles le Bel, to have induced more cautious proceedings.

The invasion of Queen Isabella quickly followed. She landed on September 24, 1326; and the king, deserted by almost all parties, fled to Wales with the chancellor and the two Despencers. The elder of these was taken and executed at Bristol, and on November 10, the king and his two remaining companions fell into the hands of the queen's friends. The fate of the favorite was soon sealed, and that of the king was delayed till a resignation of his crown had been forced from him. Baldock had been specially de-

[1] Angl. Sac. i. 413.; Le Neve, 210.

nounced in the queen's first proclamation[1]; but, being an ecclesiastic, was committed to the custody of Adam de Orleton, Bishop of Hereford. He remained at Hereford till February following, when he was removed to the bishop's house in London. His prison there was soon invaded by an outrageous mob, who treated him with violence, and thrust him into Newgate, where, after languishing about three months, he died on May 28, 1327. All his possessions had been previously seized, and among them were the manors of Heibrigge and Tylingham in Essex.[2]

As he was never brought to trial, the precise charges against him do not appear; but in the mandates from the queen and prince, both before and after his capture and death, his name is always united with those of the Despencers, ascribing to them the guilt of estranging the king from his wife and real friends by false suggestions and evil procurement, and designating them as "enemies of God, of the church, and the whole kingdom." Remembering, however, how great was the inveteracy between the contending parties, and how little there is to approve in the conduct of that which was successful, we must hesitate before we join in the popular cry against the chancellor without more substantial proof of his demerits.[3]

## BANKWELL, or BAUKWELL, JOHN DE.

B. E. 1307.

*See* under the Reign of Edward I.

THE name of this family is variously written, Bakwell, Bacwell, Bauquel, Bankwell, or Banquelle. It was so called from a place formerly written Bankwell, but now Bankers, at Lee in Kent. John de Bankwell besides this had other

[1] State Trials, i. 35. [2] Abbrev. Rot. Orig. i. 304.
[3] Parl. Writs, ii., P. ii. 472.; Abbrev. Rot. Orig. i. 308.

property in the county, and in 31 Edward I. obtained for himself and his wife Cicily a grant of free warren over all their lands in Lee, Lewisham, Bromley, and Brokisham.[1]

In 26 Edward I., 1297, he was appointed to perambulate the forests of five counties, and was paid at the rate of six shillings a day[2]; and in the next year he acted as one of the justices itinerant into Kent.[3]

Shortly after the accession of Edward II., on November 10, 1307, he was nominated a baron of the Exchequer, but must have died within a few months, as he was not summoned to parliament beyond the following January[4]; and his wife Cicily was assessed at four marks in the city of London for the quinzime imposed in that year, from which, by the king's favour, she was afterwards discharged.[5]

He left two sons, named Thomas and William, and perhaps others, to whom the property descended in gavelkind.[6] Roger, the judge of the King's Bench in the next reign, may also have been a son of his.

## BARDELBY, ROBERT DE.

KEEPER, ? 1310.

*See* under the Reign of Edward I.

THERE is no doubt that Robert de Bardelby was a clerk of the Chancery, as he is so designated in various records. This explains the character in which he is so frequently introduced with reference to the Great Seal, extending from 30 Edward I., 1302, to 15 Edward II., 1321, and acting under no less than eight chancellors. The first time at which his name occurs is on August 23, 1302, when, on the resignation of John de Langton, the Seal was

[1] Hasted's Kent, i. 460. 493.
[2] Parl. Writs, i. 396, 397.
[3] Dugdale's Chron. Series.
[4] Parl. Writs, ii. 477.
[5] Madox's Exch. ii. 230.
[6] Hasted; Abbrev. Rot. Orig. ii. 265.

delivered to Adam de Osgodby, the keeper of the Rolls, to be kept by him under the seals of John de Caen, William de Byrlay, and Robert de Bardelby, until the king should provide himself with a chancellor: and this was repeated on October 30, after the appointment of William de Grenefield. The Seal was again placed under the seal of him and two others on December 29, 1304, 33 Edward I., until William de Hamilton, the chancellor then appointed, should come to the court, which he did on the 16th of January following. The next occasion was on the second resignation of John de Langton, in 3 Edward II., when the Seal was, on May 12, 1310, delivered to William de Melton, Robert de Bardelby, and John Fraunceis, to do what pertained to the office till the king should otherwise order. On the 6th of the following July, it was still under his seal, when Walter Reginald, Bishop of Worcester, was constituted chancellor. So again, for a few days, on December 12 following, and on August 26, 1311. Again, after the bishop surrendered the Seal on December 9, 1311, the same course was adopted on many occasions, until September 26, 1314, 8 Edward II., when John de Sandale became chancellor. On this last date Adam de Osgodby, Robert de Bardelby, and William de Ayremynne, are called "tunc custodes Magni Sigilli." While John de Sandale held the Seal, Robert de Bardelby was frequently employed in the same manner; so also between Sandale's resignation, on March 29, 1318, 11 Edward II., and the appointment of John de Hotham, Bishop of Ely, on June 11 following, and under that chancellor likewise. Up to August 1, 1318, William de Ayremynne, the keeper of the Rolls, was generally either the person to whom the Seal was entrusted, or the first of the three clerks of Chancery under whose seals it was secured, Robert de Bardelby's name being always placed after his; but on December 2, 1319, 13 Edward II., when the chancellor went to

Newcastle-upon-Tyne on the king's business, the Seal was put into the custody of Robert de Bardelby, to be kept under the seals of three other clerks till his return. This, however, is the only instance in which he is first named. Under John Salmon, Bishop of Norwich, the succeeding chancellor, the Seal was frequently deposited in the manner before mentioned, under the seal of Robert de Bardelby, until November 5, 1321, 15 Edward II. The Great Seal was at that time in the custody of the king, under the seals of William de Ayremynne, Robert de Bardelby, and Henry de Cliff; but on the 14th of that month Robert had leave to depart from court on account of his illness.[1] He never after acted as a keeper of the Seal, but he is mentioned as a clerk of the Chancery as late as July 5, 1325, 18 Edward II., when he was present at Westminster, on Henry de Cliff taking his oaths as keeper of the Rolls.

To the last he is called a clerk of the Chancery, but is often styled one of the "Gardiens du Seal." He was selected as an assessor of the fifteenth in the city of London in 9 Edward II., and was nominated a trier of petitions at the parliament of Lincoln in the same year, and that of Westminster in the fourteenth year. In 8 Edward II. he was appointed keeper of the Hospital of St. Thomas the Martyr of Acon in London, until his brother, Richard of Southampton, returned to England; and he held the ecclesiastical rank of canon of Chichester.[2]

[1] The several Rolls from which these dates are taken are referred to in the introductory chapters to the reigns of Edward I. and Edward II.

[2] Rot. Parl. i. 287. 350. 365.; Abbrev. Rot. Orig. i. 227.; Parl. Writs, ii., P. ii. 478.

## BATESFORD, JOHN DE.

JUST. ITIN. 1307.

*See* under the Reign of Edward I.

JOHN DE BATESFORD was one of the eight justices appointed by Edward I., in the twenty-first year of his reign, 1293, to take assizes, jurats, and certificates, throughout the kingdom in aid of the judges of each bench and the itinerant judges, who were often prevented from attending at the regular times and places. A certain number of counties were appropriated to each two, and they were to perform that duty throughout the year, in such manner as would most conduce to the service of the people. To John de Batesford and William Howard the counties of York, Northumberland, Westmoreland, Cumberland, Lancaster, Nottingham, and Derby, were assigned.[1] In the last year of that king's reign, on February 18, 1307, he was the fourth of the justices of Trailbaston then nominated for ten of the midland counties[2]; and as in 4 Edward II., 1310, he was sent as a justice of assize into Hampshire, Wiltshire, Somersetshire, Dorsetshire, Cornwall, and Devonshire[3], he may be presumed to have continued to act in the interim; the more especially as he was regularly summoned among the judges to parliament from the beginning to the eleventh year of that reign. He died soon after, his executors being commanded, in 13 Edward II., to bring all proceedings before him into the Exchequer.[4]

## BELER, ROGER.

B. E. 1322.

THE family of Roger Beler was fixed at Kirkby on the Wrethek in Leicestershire, in which, and in the neigh-

[1] Rot. Parl. i. 99.
[2] Ibid. i. 218.
[3] Dugdale's Chron. Series.
[4] Parl. Writs, ii. 499.

bouring counties, they held large possessions. He was the son of William Beler and Avicia his wife, and the grandson of another Roger Beler[1], who was sheriff of Lincolnshire in 40 Henry III.[2]

In 9 Edward II. he obtained a licence to found a chantry in the chapel of St. Peter at Kirkby[3], which he subsequently extended to a house with a warden and twelve priests. The king in the twelfth year of his reign granted him the hundred of Framelond, and certain farms in Leicestershire for his laudable services.[4] It is not stated in what capacity they were rendered; but in the same year he received a general pardon as an adherent of Thomas, Earl of Lancaster, and was confirmed in his office of bailiff and steward of Stapelford in Leicestershire.[5]

He was afterwards occasionally employed in judicial commissions, till July 20, 1322, 16 Edward II., when he was raised to the Exchequer bench in the place of John de Foxle. For the rest of his life he was actively engaged not only as a baron, but as a justice in various counties.

He came to a violent end, being murdered on January 29, 1326, on his journey from Kirkby to Leicester. We have no other particulars, except that on the 28th of the following February, a commission was issued to try the offenders; and that the goods of Roger la Zousch, Lord of Lubesthorp, and Robert de Helewell, charged as accessories and flying from justice, were thereupon ordered to be seized into the king's hands. Eudo la Zousch (unless there is a mistake in one of the christian names) was also implicated, and fled; as his son William petitioned the parliament of 1 Edward III. against an outlawry which had been unlawfully adjudicated after Eudo's death in Paris. The appeal

[1] Monasticon (1846), vi. 511.
[2] Abbrev. Rot. Orig. i. 230.
[3] Cal. Rot. Pat. 86.
[4] Madox's Exch. ii. 142.
[5] Ibid. i. 246.

of murder was prosecuted by Alicia, the widow of Roger Beler, who was alive in 18 Edward III. They had a son, Roger, quite an infant at the father's death.[1]

## BENSTEDE, JOHN DE.

Just. C. P. 1309.

*See* under the Reign of Edward I.

John de Benstede was in frequent employment under Edward I. and Edward II. He was clerk, or secretary, to the former, whom he accompanied to Flanders on August 22, 1297, 25 Edward I., on which occasion the Great Seal, which the king took with him, was placed in his hands; and another Seal left in England with the chancellor.[2] On the king's return in the following March, John de Benstede was the messenger employed by him to carry this latter Seal to the Exchequer; the Great Seal being then given back to the chancellor.[3]

It would seem that he held soon afterwards a place in the king's wardrobe; for on February 14, 1299, 27 Edward I., the chancellor delivered the Seal to him there, and six days later it was conveyed to William de Hamilton, who immediately sealed writs with it.[4] Again, on December 29, 1304, 33 Edward I., when William de Hamilton was appointed chancellor, the Seal was placed with John de Benstede in the wardrobe, under the seals of the master of the Rolls and others, to be kept there till the new chancellor's arrival.[5]

In 30 Edward I. he received a grant of twenty acres of the waste of the forest of Wolmere, near la Wonsand, with

[1] Madox, ii. 60.; Parl. Writs, ii. 522.; Rot. Parl. ii. 432.; Abbrev. Rot. Orig. ii. 6—171.

[2] Claus. 25 Edw. I., m. 7.

[3] Madox's Exch. i. 72.

[4] Claus. 27 Edw. I., m. 18.

[5] Claus. 33 Edw. I., m. 22.

permission to cultivate them[1], and in the following year he was in the expedition to Scotland.

His closeness to the king's person in 33 Edward I. is shown by a letter addressed to him by Edward, Prince of Wales, requesting him to present to the king a petition which he enclosed from the Earl of Ulster and others, and to pray, on his part, that such justices should be assigned as would redress the grievances they complained of.[2] He was advanced to the post of chancellor of the Exchequer in the same year[3]; but he resigned it to John de Drokenesford in 1 Edward II., when he became keeper of the wardrobe.[4]

In 2 Edward II. he was again in the Scottish wars; and about that time was sent with Roger Savage to the King of France to arrange a meeting between him and the King of England.[5]

On October 6, 1309, in the third year, he was constituted one of the justices of the Common Pleas, and appears to have been present at the Exchequer in that character, acting with the barons there, in Hilary and Trinity, 1312, 5 Edward II. Fines were levied before him from the next year till the fourteenth, 1320; in which, on October 16, William de Herle was appointed a judge in his place.[6] He probably resigned then, as, according to the Inquisition, his death did not occur till 1323 or 1324.[7] His name is not found in the Year Book as taking any part in the proceedings there reported, which may be accounted for from the other employments in which he was engaged.

In 8 Edward II. he was sent on the king's service to Scotland, and in the tenth year had been selected as an envoy to Rome on the Scottish affairs; but the mission being

[1] Cal. Rot. Pat. 62.
[2] Ninth Report Pub. Rec., App. ii. 247.
[3] Cal. Rot. Pat. 65.
[4] Madox's Exch. ii. 29.
[5] Dugdale's Baron. ii. 91.
[6] Dugdale's Orig. 44.; and Chron. Ser.; Madox's Exch. ii. 7. 31. Cal. Inquis. p. m., i. 319.

stopped, he had a payment of 1*l.* per diem for the eleven days he was employed, together with an allowance of 12*s.* 5*d.* for a loss he had in the purchase and sale of 159 florins provided for his journey.[1] In the following year he was one of the commissioners to treat for peace with Robert de Brus: and in 12 Edward II. he was sent with the Bishop of Hereford and others to Rome to solicit the pope for the canonisation of Thomas de Cantilupe, Chancellor and Bishop of Hereford in the reign of Henry III.

He had large possessions in various counties: Ermington in Devonshire, and Benington in Hertfordshire, for both of which he obtained fairs and markets; Benstede in Hunton in Kent; Kertlyng in Cambridgeshire; Cowling in Suffolk; Charlewoode in Surrey; Little Parndon and Higham Bensted in Essex; over several of which he had grants of free warren and other privileges. He had a manor-house also called Rosemont, at Eye, near Westminster, which he had licence to fortify with walls of lime and stone.

Dugdale includes him in his Baronage on account of his having been summoned to parliament in 8 Edward II., as he says, "among the barons of the realm:" but he adds that "he was never farther summoned." The fact, on the contrary, is that from the date of his elevation to the bench till his retirement, and therefore both before and after the year in question, he was regularly summoned among the justices to parliament; and that on the occasion referred to he was probably only summoned in that character, although his name and those of several other judges are carelessly intermingled with the barons. In 15 Edward II. he was returned by the sheriff of Hertford as a knight banneret.[2]

He was married twice; his first wife was named Isabella, who died before 7 Edward II.[3]; and his second, Petronilla,

[1] Archæol. xxvi. 322.
[2] Parl. Writs, ii., P. ii. 524.
[3] Year Book, Edw. II., 212.

who survived him and died in 1342. His son Edward succeeded him, whose descendants were living in the county of Essex till the reign of Henry VII.[1]

## BEREFORD, RICHARD DE.

JUST. ITIN. 1310.

I KNOW not whether Richard de Bereford was a relative of the under-mentioned chief justice, William de Bereford; but from his flourishing at the same period it is not improbable that he was his brother. The only trace I find of the place of his residence while in England is in his being appointed assessor and collector in the county of Worcester for the thirtieth granted in 10 Edward I., 1283.

He was treasurer of the Exchequer of Dublin from the twenty-eighth to the last year of that reign, and probably at the beginning of that of Edward II. But in the fourth year of the latter he was evidently in England, being then, 1310, the last named of the three justices of assize assigned for the counties of Essex, Hertford, Buckingham, Bedford, Oxford, and Berks.

In 7 Edward II., 1314, he was raised to the chancellorship of Ireland; and retained that office till August, 1317; after which date I have not met with any mention of his name.[2]

## BEREFORD, WILLIAM DE.

JUST. C. P. 1307. CH. C. P. 1309.

*See* under the Reign of Edward I.

MR. NICHOLLS in his History of Leicestershire commences the pedigree of William de Bereford, or Barford, with his

[1] Morant's Essex, i. 34., ii. 495.; Chauncy's Herts, 335.; Hasted's Kent, v. 149.

[2] Parl. Writs, i. 464., ii., P. ii. 526.; Abbrev. Rot. Orig. i. 112.; Abbrev. Placit. 255.; Dugdale's Chron. Series; Cal. Rot. Pat. 61. 77.

father, Osbert de Barford, whom, on the authority of a descent taken from Mr. H. Ferren's MSS. of Antiquities, he calls chief gentleman of Ralph de Hengham, the chief justice.[1] It seems, however, more probable, from two entries on the Plea Rolls, that this Osbert was his brother, and that both were the sons of Walter de Bereford.[2]

Although Dugdale does not introduce William de Bereford into his Chronica Series till Michaelmas Term, 22 Edward I., 1294, when he calls him a justice of the Common Pleas, it clearly appears that he had been previously employed as a justice itinerant, if not as a regular justicier; for Prynne gives two commissions to him, in conjunction with Robert de Hertford and Robert Malet, to enquire as to a murder in 20 Edward I.[3]; and in the parliament that met after Easter in the following year Eustace de Parles and John his brother were convicted of insulting "William de Bereford, a justice of our lord the king," in the Aula Regis, by imputing to him corrupt and improper conduct during his iter into Staffordshire. His companions in that iter proving the charge to be false, and the parties having their action against him if he had done them wrong, they were imprisoned in the Tower for their contempt.[4]

The designation of "Justiciarius Domini Regis," by which he is described in the record, would seem to imply that he was then one of the regular judges at Westminster; especially as the offence is stated to have been committed in the "Aula Regis;" and although the fines that were levied before him do not commence till November, 1294, 23 Edward I., it is evident that he had sat in the Common Pleas for a short time between February, 1291, 19 Edward I., when Robert de Thorpe either died or ceased to act, and some part of the

[1] Nicholls's Leicester. 343.
[2] Abbrev. Placit. 215. 280.
[3] Prynne on Fourth Inst. 20.
[4] Rot. Parl. i. 95.

following year. A writ of the latter date, by which Peter Mallore was appointed *in the place* of William de Bereford, "who had been *lately* associated with John de Metingham and his companion, justices of the bench,"[1] clearly shows that there was a temporary removal; and the proof of his having previously acted is found not only in the writs quoted by Prynne, and the proceeding against Eustace de Parles, but also in the fact that he and two other known judges were assigned to enquire into the truth of certain articles in Trinity Term, 19 Edward I., 1291; and again in Michaelmas of the next year.[2] What was the cause of this removal there is nothing to explain; but it must have occurred between Michaelmas day and November 20, 1292, because the writ to Peter Mallore is dated in 20 Edward I. I conceive that William de Bereford's re-appointment took place after the death of William de Giselham in January, 1293, 21 Edward I. Both he and Peter Mallore were summoned among the justices to the parliament of August, 1295, 23 Edward I., the precedence being given to the former.[3]

He continued to act during the remainder of the reign, and was one of those selected to treat with the Scots in 33 Edward I., and was placed in the commission of Trailbaston for the northern counties in the last year of the reign.[4] On the accession of Edward II. his patent in the Common Pleas was renewed, he holding the second place.

He was raised to the office of chief justice of that court; as the successor of Ralph de Hengham, on March 15, 1309, 2 Edward II.[5]; and the last fine that was acknowledged before him in that character is dated in the first week of the

[1] Manning's Serviens ad legem, 282. He is called here W. de *Hereford*; and the same mistake occurs in *one* of the writs before cited of this date, while the other properly spells the name Bereford.

[2] Rot. Parl. i. 29. 100.

[3] Parl. Writs, i. 29.

[4] Rot. Parl. i. 218. 267.

[5] Rot. Pat. 2 Edw. II., p. 1. m. 9.

twentieth year of that reign, July, 1326.[1] In the same month he died, leaving large possessions in eight counties, the principal of which were in Warwickshire and Oxfordshire.[2] He was succeeded in his office, on July 23, by Hervey de Staunton.

By his wife Margaret he left a son named Simon, who, according to Mr. Ferren's pedigree, was seated in Warwickshire. There was another son, named William, to whom the king granted four acres of waste in Bereford, Northamptonshire.[3]

## BEREWYK, JOHN DE.

JUST. ITIN. 1307.

*See* under the Reign of Edward I.

THAT John de Berewyk was an officer of the court appears from the nature of his various employments. In 7 Edward I. he was appointed custos of the vacant Abbey of St. Edmund, and in the next year had a similar grant over the bishoprick of Lincoln.[4] In 11 Edward I. he was assessor in Dorsetshire of the thirtieth granted by the counties south of Trent.[5] In the thirteenth year he was keeper of the queen's gold[6]; and in the eighteenth he delivered into the wardrobe the Roll of Peace and Concord between the Chancellor and Scholars of the University of Oxford and the Mayor and Burgesses of that city.[7] His high character is evidenced by his being one of the executors of Queen Eleanor.[8]

Although it does not appear that he was a judge at Westminster, it is manifest that he held a high place among the justices itinerant; inasmuch as, in all the circuits in which

[1] Dugdale's Orig. 44.
[2] Cal. Inquis. p. m., i. 333.
[3] Abbrev. Rot. Orig. i. 50.
[4] Ibid. i. 33. 35.
[5] Parl. Writs, i. 13.
[6] Madox's Exch. i. 361.
[7] Rot. Parl. i. 33.
[8] Abbrev. Rot. Orig. i. 80.

he was named over various counties, extending from 20 Edward I., 1292, to nearly the end of the reign, he was invariably at their head.[1] He was summoned also among the judges to parliament during the same interval, and on one occasion was appointed to receive and answer all petitions from Ireland and Guernsey which could be answered without reference to the king.[2]

I have not found any positive proof that he acted as a justice itinerant under Edward II.; but that he did so there can be little doubt, as he is summoned among them to the parliaments of the first two years of that reign.[3]

He died in 6 Edward II., 1312, and was possessed of several manors and other lands in the counties of Essex, Hants, Wilts, Norfolk, and Suffolk.[4] His heir in one entry is called "Roger, his son," and in another, "Roger Huse, consanguinius."[5]

BERKS, ARCHDEACON OF. *See* R. DE AYLESTON.

## BERNINGHAM, RICHARD DE.

JUST. ITIN. 1313.

THERE were two families of this surname, and two individuals of both names flourishing in this reign; one connected with the county of York, and the other with that of Norfolk. The former was son of John de Berningham, or Barningham; and the latter not improbably was the son of Walter, who, in 1316, was lord of the manor of Hauteyn's, in Barnham, Norfolk.

Sir Francis Palgrave considers that the presumption is somewhat in favour of Richard de Berningham of Yorkshire being the person who was so often summoned to council

[1] Dugdale's Chron. Series.
[2] Parl. Writs, i. 468.
[3] Ibid. ii. 536.
[4] Cal. Inquis. p. m., i. 250.
[5] Abbrev. Rot. Orig. i. 194, 195.

among the justices and others; and the first entry among the Parliamentary Writs in which his name appears seems amply to justify this opinion. He is therein required to lay aside the caption of certain assizes in the *northern* counties, which had been fixed during the meeting of parliament, and to repair to Westminster instead. This was on September 6, 1313, 7 Edward II., and his summonses continue till the fourteenth year; during which period he is included in several commissions in the county of York, to which, perhaps, his judicial functions were confined. He is mentioned as a knight in that county in 17 Edward II.; and his death is recorded in 3 Edward III., possessing property therein.[1]

## BOLINGBROKE, NICHOLAS DE.

Just. Itin. 1310.

Nicholas de Bolingbroke, judging from his name, belonged to the county of Lincoln. In 4 Edward II. he was the last of three judges of assize sent into that county and five others; and in the tenth year was named in a special commission to try some rioters in Lincoln. In 12 & 13 Edward II. he was commanded to cause all proceedings before him as a judge of assize to be estreated into the Exchequer.

He certified as one of the lords of the township of Gargrave in Yorkshire.[2]

## BOURNE, or BURNE, WILLIAM DE.

Just. C. P. 1309.

William de Bourne, or Burne, for it is written both ways, was appointed to superintend the collection of the

[1] Blomefield's Norfolk, i. 636.; Parl. Writs, ii., P. ii. 534.; Cal. Inquis. p. m., ii. 19.

[2] Dugdale's Chr n. Series; Parl. Writs, ii., P. ii. 561.

fifteenth granted in 29 Edward I., in the county of Wilts.[1] In the new commission assigning justices of the Common Pleas, issued on September 29, 1309, 3 Edward II., he was one of the two who were added to that bench. No fines are recorded as having been acknowledged before him, which may perhaps be accounted for by the judges having been ordered in that commission to sit in two places, to one of which, probably, the taking of fines was restricted. He seems to have been frequently engaged in assizes in the country, principally in the western counties. One of these occasions, in 10 Edward II., was for the trial of persons accused of conspiring to bring a false appeal of robbery against John de Treiagu; with whom it is somewhat curious to find that he was in the same year united in a commission to enquire into the transgressions alleged against the taxors in Devonshire.[2] He continued to be summoned among the judges to parliament till 11 Edward II.; and in the next year was appointed to perambulate the forests of Devon, and was commanded to cause all proceedings before him, as a justice of assize or otherwise, to be brought into the Exchequer to be estreated.[3] The last notice of his name occurs in 14 Edward II., when a commission into Guernsey, Jersey, &c., for the trial of certain offences, which had been directed to him and another, but which had been superseded, was, on the petition of the inhabitants, renewed.[4]

## BOUSSER, JOHN DE.

JUST. C. P. 1321.

See under the Reign of Edward III.

[1] Parl. Writs, i. 110. Parl. Writs, ii., P. ii. 578.
[2] Abbrev. Rot. Orig. i. 239.
[3] Rot. Parl. i. 378.

## BRABAZON, ROGER LE.

Ch. K. B. 1307.

*See* under the Reign of Edward I.

JAQUES LE BRABAZON, the first of this family who was established in England, was so called from the castle of Brabazon in Normandy. He came over with the Conqueror, and his name is inserted on the Roll of Battle Abbey. His great-grandson Thomas became possessed of Moseley in Leicestershire, by his marriage with Amicia, the heiress of John de Moseley. Their son, Sir Roger, also described of Eastwell in the same county, married Beatrix, eldest of the three sisters and co-heirs of Mansel de Bisset; and by her had two sons, the elder of whom was Roger le Brabazon, the judge.

He is first mentioned in that character in 15 Edward I., 1287, when he acted as a justice itinerant for pleas of the forest in Lancashire; and two years afterwards, on the removal of the judges convicted of extortion and other corrupt practices, he was constituted a justice of the King's Bench in the place of one of them. The salary then assigned to him was 33*l.* 6*s.* 8*d.*, being higher than that of his fellows by 6*l.* 13*s.* 4*d.*, and lower than that of the chief justice by the same sum only.[1] That he held a high rank in the estimation of the king, appears from his being employed to attend the meeting of the Scottish nobility and clergy at Norham on May 10, 1291, when Edward I. took upon himself the arbitration between the competitors for their crown. There, in a studied address in the French language, he required from the assembly an absolute recognition of King Edward's title as Lord Paramount of the kingdom of Scotland; which they were not in a condition to refuse.[2] The prominent part

[1] Dugdale's Chron. Series.

[2] Tytler's Scotland, i. 80.

which Brabazon took in this transaction has led writers to speak of him as if he were then the chief justiciary. That office, however, no longer existed, and it was not till four years afterwards that he became chief justice of the King's Bench; to which he was advanced on the death or retirement of Gilbert de Thornton, about 24 Edward I., 1295. He presided in the court till the end of the reign, when he was immediately re-appointed by the new king, and continued to perform the functions of this honourable post till February 23, 1316, 9 Edward II., when, pressed by age and infirmities, he applied for and obtained his discharge. The patent of that date is expressed in the most eulogistic terms, and records the king's commands that he should be retained "de secreto consilio" during his life, and should be admitted to all the king's courts, councils, and parliaments as often as he might choose to be present.[1] William Inge was then named as his successor.

He did not survive his resignation longer than the following year. Leaving no issue by his wife, Beatrix, the daughter of Sir John de Sproxton, his property devolved on his brother Matthew, whose descendant was created Lord Brabazon of Ardee in Ireland in 1616, to which, in 1627, was added the earldom of Meath, a title which is still borne by his lineal representative, whose father received an English peerage in 1831 with the title of Baron Chaworth of Eaton Hall, Herefordshire.

A branch of the family descending from the brother of the first lord, seated at Brabazon Park, in the county of Mayo, obtained the dignity of baronet in 1797, which lately became extinct by the death of Sir William John Brabazon.[2]

[1] Rot. Pat. 9 Edw. II., p. 2. m. 31.

[2] Thoroton's Notts, i. 294.; Abbrev. Rot. Orig. i. 238.; Biog. Peerage, iv. 30.; Geneal. Hist. of the Family of Brabazon, Paris, 1825.

## BURGH, HUGH DE.

? KEEPER, 1316.

WHEN John de Sandale, the chancellor, went from York to London on August 26, 1316, 10 Edward II., upon the business of his election to the bishoprick of Winchester, which had just previously taken place, he, by the king's directions, left the Great Seal in the custody of William de Ayremynne, the keeper of the Rolls, under the seals of Robert de Bardelby and Hugh de Burgh, clerks of the Chancery. It may be inferred, however, that the latter was a junior clerk, because the Roll further directs that the Seal shall be so kept only till the arrival of Thomas de Asheby, another clerk of the Chancery (which occurred on September 17), when it was to be placed under the seals of him and of Robert de Bardelby.[1] Hugh de Burgh, Clericus, was paymaster of the forces raised in the counties of Cumberland and Westmoreland in 27 and 31 Edward I.; and was one of the procurators of the Bishop of Carlisle in the parliament of 16 Edward II., and for the Abbot of St. Mary's, York, in that of the following year.[2] He held the living of Patrick Brompton in Yorkshire; and died in 2 Edward III.[3]

## CANTEBRIG, THOMAS DE.

B. E. 1307.

THOMAS DE CANTEBRIG (Cambridge) was an officer in the Exchequer in the reign of Edward I.; in the twenty-ninth year of which, we find him and John de Sandale attesting the debts due from the crown in the duchy of Aquitaine. His appointment as a baron of the Exchequer took place on September 16, 1307, two months after the accession of Edward II., when he was added to two other barons, who

[1] Rot. Claus. 10 Edw. II., m. 27. [2] Parl. Writs, i. 506., ii. P. ii. 615.
[3] Cal. Inquis. p. m., ii. 21.

had acted in the previous reign. In the following year, on October 24, he had a patent authorising him to take the place of William de Carleton, the senior baron, when he was absent, and to sit next to him when he was present, — a clear proof of the royal favour, as there were then two barons in the court senior to him in standing. He remained in this place till July 17, 1310, when Roger de Scotre was substituted for him. His removal doubtless arose from his services being more valuable in another character; as, during the time he held the office, and for several years afterwards, he was employed in foreign negotiations. In November, 1307, the constable of Dover is directed to provide him a safe passage; in 1312, 1315, and 1316, he was engaged in composing the dissensions between the steward of Gascony and Amanenus de Lebreto; and in 1317 he was sent to Bordeaux to procure a grant of wine from that city in aid of the Scottish war. After the latter date his name does not again occur.

Masters, in his History of Corpus Christi College, Cambridge (p. 8.), says that Sir John Cantebrig, a judge in the next reign, was probably his son: but this seems to be contradicted by the fact that Thomas is almost invariably described as of the clerical profession.[1]

CANTERBURY, Archbishop of. *See* W. Reginald.
CANTERBURY, Archdeacon of. *See* J. de Langton.

## CARLETON, WILLIAM DE.

B. E. 1307.

*See* under the Reign of Edward I.

William de Carleton was associated with Henry de Bray in the custody of the vacant abbey of Ramsay in

[1] N. Fœdera, i. 934., ii. 15. 175. 273. 333.; Madox's Exch. ii. 58.; Parl. Writs, ii. P. ii. 4. 630. 1408.

14 Edward I.[1] Although he is inserted by Dugdale in his list of barons of the Exchequer in the same year, on the authority of a liberate granting him 20*l.* a year, it is evident that he was only at that time one of the justices of the Jews. He is introduced in that character in Madox's list of barons in the next and three following years; and in June, 1291, 19 Edward I., there is an order, in which he is called late justice of the Jews, for the payment of twenty marks for his fee from the preceding Michaelmas; till which time the Jews, it says, were in the kingdom.[2] The justices of the Jews seem always to have sat with the barons of the Exchequer; but their duties, of course, terminated after the expulsion of that people. William de Carleton and Peter de Leicester, who then held the office, were thereupon appointed regular barons; and the former continued to act from that time till the end of the reign. In 25 Edward I. he was employed by the king with two others to collect a sum of ten thousand pounds from the merchants at Antwerp.[3]

Dugdale says that he was constituted chief baron on July 26, 1303, 31 Edward I.; but the liberate, on the authority of which this statement is made, contains no such designation[4]; being a grant to "Philip de Wylgheby, chancellor of the Exchequer, William de Carleton and Peter de Leicester, barons of the said Exchequer," of 180 marks, their salary of the last three half-years in those offices. The title of chief baron indeed was not adopted till some years afterwards; but William de Carleton was at that time the senior baron, and was at the head of those re-appointed on the accession of Edward II., 1307.[5] On October 24, 1308, 2 Edward II., he had special licence from the king, on account of his long service, to retire to his own house as

[1] Abbrev. Rot. Orig. i. 51.
[2] Madox's Exch. i. 236. l.
[3] Rot. Parl. i. 169. 194.
[4] Madox's Exch. ii. 62.
[5] Parl. Writs, ii. P. ii. 4

often and as long as his health or private affairs should require, and to attend at the Exchequer in his place when he should think fit.[1] He does not appear among the justices who were summoned to parliament beyond the following March.

H. Philipps says that Sir William Carleton, of Carleton in Cumberland, knight, was his descendant in 1684.[2]

## CHAYNEL, JOHN.

JUST. ITIN. 1314.

IN 5 Edward II., 1312, John de Chaynel was summoned among the legal assistants to parliament, in what precise character is not stated; and his attendance continued to be required in most of the parliaments till 17 Edward II., 1324. The first time I find him mentioned as a justice of assize is on September 12, 1314, in the eighth year, when he and Lambert de Trikingham were acting in the county of Lincoln; and the last commission in which his name occurs, is in that directing an investigation into the conduct of sheriffs, &c. in the counties of Warwick and Leicester, in 17 Edward II.[3]

## CHICHESTER, BISHOP OF. *See* J. DE LANGTON.

## CLIDERHOU, ROBERT DE.

JUST. ITIN. 1310.

ROBERT DE CLIDERHOU (Clitherow) held the manor of Bailey, a township in the neighbourhood of Clitherow in Lancashire. In 35 Edward I. he recovered 200*l.* from three brothers who attacked him at that place, and beat him till they left him for dead.

He was a clerk in the Chancery under Edward I. and Edward II., and in the fourth year of the reign of the latter was

[1] Madox's Exch. ii. 57. [2] Grandeur of the Law (1684).
[3] Parl. Writs, ii. P. ii. 654.; Rot. Parl. i. 450.

appointed one of the three justices of assize for Kent, Sussex, and Surrey, standing last on the list. During the eight and ninth years of that reign he was the king's escheator beyond Trent, and afterwards became parson of the church of Wigan. He took so strong a part in behalf of the Earl of Lancaster, that he not only sent his son Adam, and another man-at-arms, with four foot soldiers, to his assistance, but preached at Wigan in his favour, and promised absolution to those who aided him. The punishment he suffered for these offences was a fine of 200*l.*

He lived some years after this, and in 4 Edward III. obtained the royal permission to assign his manor of Bailey to the monks of Cokersand. In the seventh year of that reign, he recovered possession of some land in Cliderhou and Dynkedeleye, in Lancashire.

As he is called "clericus," and was clearly a priest, it must be presumed that his son Adam was born before he took orders.[1]

## CLIFF, HENRY DE.

? Keeper, 1317. M. R. 1325.

*See* under the Reign of Edward III.

## CLIFF, WILLIAM DE.

? Keeper, 1319.

The first mention of William de Cliff, or Clyff, is in 3 Edward II., when he was commissioned to prepare certain ships in Yorkshire against the Scots.[2] Two years afterwards he was appointed the king's steward in the forest of Galtres, in the neighbourhood of York.[3] He subsequently became one of the clerks of the Chancery; but what relation he was

[1] Abbrev. Placit. 300.; Abbrev. Rot. Orig. i. 217—226., ii. 47. 82.; Parl. Writs, ii. P. ii. 686.; Dugdale.

[2] New Fœdera, ii. 109.

[3] Abbrev. Rot. Orig. i. 189.

to Henry de Cliff, who also held the latter office, and was then keeper of the Rolls, is not stated.

In 12 Edward II., the king presented him with the prebend of Kylbryde, in the church of Glasgow.[1] When the chancellor, John de Hotham, Bishop of Ely, went from York to Newcastle on December 2, 1319, 13 Edward II., the Great Seal was placed in the custody of Robert de Bardelby, to be kept under the seals of Henry de Cliff, Geoffrey de Welleford, and William de Cliff until his return; and they accordingly sealed the writs, &c. at York.[2] Under the next chancellor, John Salmon, Bishop of Norwich, his name also appears frequently under the same circumstances at the following dates:—from June 9 to July 22, 1320, during the absence of the chancellor, who accompanied the king abroad; from August 8 to September 27, on the chancellor's visit to his bishoprick; on December 15, 1321; from January 24 to March 3, 1322; from September 12 till November 17, 1322; from January 10 to May 2, 1323; and on June 5[3]: after which date he is no more mentioned in connection with the Great Seal. It seems not improbable that he shared in the disgrace of the Despencers, inasmuch as a complaint was made, in the first parliament of the following reign, by Elizabeth de Burgh, that she had been arrested, in 16 Edward II., by the conspiracy and crafty plotting of Hugh le Despencer the younger, Robert de Baldock (afterwards chancellor), and William de Cliff: and in the parliament of the second year another complaint was made that Hugh le Despencer and he had disseized John de Larcheley of his manor.[4] If this were so, however, his offence appears to have been overlooked, as he was one of the commissioners appointed

[1] New Fœdera, ii. 401. [2] Rot. Claus. 13 Edw. II., m. 13.

[3] Rot. Claus. 13 Edw. II, m. 4.; 14 Edw. II., m. 24.; 15 Edw. II., m. 35.; 16 Edw. II., m. 6. 19. 27.

[4] Rot. Parl. ii. 23. 440.

in 3 Edward III. to inquire into the chattels belonging to Hugh le Despencer in certain of his manors in the county of Lincoln.[1]

## COLNEYE, WILLIAM DE.

JUST. ITIN. 1310.

WILLIAM DE COLNEYE'S connection with the law is first shown in 18 Edward I., when he represented Robert de Tateshal in a suit then the subject of a petition to the parliament. On the accession of Edward II. he was summoned to the coronation, and to the next two parliaments, his place in the lists being low among those of the legal profession. In the first parliament, which was directed to meet at Northampton on October 13, 1307, he was returned as knight of the shire for Norfolk; and when the justices of assize were appointed for that and the four neighbouring counties in the fourth year of the reign, 1310–11, he was the last of the three who were then nominated. His name does not appear after the next year; but that of his son Ralph is mentioned in 8 Edward II. in reference to property in the county, in which he certified that he was one of the lords of Scottow and Lammas with Little Hautboys.[2]

## D'EYNCOURT, EDMUND.

JUST. ITIN. 1307.

*See* under the Reign of Edward I.

EDMUND D'EYNCOURT was the son and heir of John, who was lineally descended from Walter D'Eyncourt, who came over with the Conqueror, and was royally rewarded with many lordships in the counties of York, Northampton, Nottingham, Derby, and Lincoln; in the latter of which Blankney

[1] Abbrev. Rot. Orig. ii. 24.

[2] Rot. Parl. i. 37.; Parl. Writs, ii. P. ii. 708.; Abbrev. Rot. Orig. i. 212. 240.; Dugdale.

was his principal seat. On his father's death, in 1257, Edmund was a minor, and his lands were placed under the custody of Queen Eleanor.[1] After he attained his majority he served the king in his wars in Wales, in Gascony, and in Scotland; and was summoned to parliament in 27 Edward I.[2] He subscribed the letter to the Pope by the title of "Dominus de Thurgerton." In 33 Edward I., 1305, he was appointed one of the justices of Trailbaston for Lincoln and nine other counties, and being re-appointed in 1307, was excused from his attendance at the parliament of Carlisle, probably on that account. Throughout the following reign he still continued to act as a judge; there are not only several references to him in parliament evidently in that character, but he is occasionally commanded to cause the proceedings before him to be estreated into the Exchequer.[3]

He died in 1327, 1 Edward III. On the death of his only son, Edmund, in his lifetime, leaving a daughter named Isabel, he obtained a license in 7 Edward II. to alter the entail of his lands; in pursuance of which, for the purpose of perpetuating his name and arms, he settled them on his nephew William, the son of his brother John; in whose descendants the title continued till the death of William, the thirteenth baron, in 1422, without issue, but leaving two sisters. One of these died childless; and Francis, Baron and Viscount Lovel, the grandson of the other, having been attainted in 1487, this barony became forfeited.[4]

The Right Honourable Charles Tennyson D'Eyncourt, the present member for Lambeth, traces his descent through females from this family.[5]

[1] Excerpt. e Rot. Fin. ii. 264. [2] Dugdale's Baron. i. 388.

[3] N. Fœdera, i. 970.; Rot. Parl. i. 188. 218. 314. 325. 333.; Parl. Writs, ii. 759.

[4] Nicolas's Synopsis; Cal. Rot. Pat. 77. See also Coke's 4th Inst. 126., corrected by Prynne on that work, 65.

[5] Burke's Landed Gentry.

## DONCASTER, JOHN DE.

JUST. ITIN. 1310. JUST. C. P. 1319.

THE name of John de Doncaster occurs in 28 Edward I. as a commissioner of array in Yorkshire [1]; and in the thirty-second year the castle and honor of Tickhill, with the manors of Gryngele and Whetele, were committed to his charge.[2]

He was summoned to attend the ceremony of the coronation of Edward II., and also was included in the list of judges and others called upon to assist at the parliaments from the first year of that reign. I do not, however, find that he held any judicial position, otherwise than entirely local, till 4 Edward II., 1310, when he was appointed a judge of assize for the northern counties. In the sixth year he was assessor of the tallage on Newcastle-upon-Tyne, &c.; and in the following year, on the North Riding of Yorkshire. He is named also in various other judicial commissions during the next five years.

On June 5, 1319, 12 Edward II., he was raised to the bench of the Common Pleas; but the fines levied before him in that court do not extend beyond the next year; and he was not summoned to parliament after the early part of the fourteenth year. He was probably at that time removed from the court, although he was named in a special commission for trying some forest offences in his own county two years afterwards.[3]

He was alive in 5 Edward III., when the king confirmed certain grants which had been made to him and his wife Alicia, and their heirs, by the Earl of Surrey.[4]

[1] Parl. Writs, i. 345.
[2] Abbrev. Rot. Orig. i. 135.
[3] Parl. Writs, ii. P. ii. 781.
[4] Abbrev. Rot. Orig. ii. 52. 55.

## DYVE, WILLIAM DE.

? JUST. K. B. 1322.

ALTHOUGH there is no question that William de Dyve, or, as it is sometimes called, Dyne, was not a justice of the King's Bench, we do not think it right to omit noticing any name which is inserted in Dugdale's list. The authority on which this is introduced, is a passage from Leland's Collectanea, on referring to which we find that Geoffrey de Say and William de *Dyne*, "Justiciarii Regis," are stated by Gervas of Canterbury to have been sent into Kent to inquire "de fautoribus Badelesmer."[1] Now the term Justiciarius Regis was at that time applied, not only to the judges of the two benches and the justices of assize, but also to any others who were appointed on a special judicial commission; and it is not improbable that such a commission, although no record of it has yet appeared, may have been issued to those two gentlemen to try the adherents of Bartholomew de Badlesmere, who was executed for treason in that year. But there is nothing whatever to show that William de Dyve, or Dyne, was connected with the courts at Westminster; nor indeed, in any document that we have yet discovered of the period, does his name occur.

There were two families of that name: one settled in Northampton; and the other lords of the manors of Docklington and Dadington, in Oxfordshire.[2]

ELY, BISHOP OF. *See* JOHN DE HOTHAM.

## EVERDON, JOHN DE, CHANCELLOR OF EXETER and DEAN OF LONDON.

B. E. 1307.

JOHN DE EVERDON was an officer of the Exchequer, and, like his fellows, was of the clerical profession. He was appointed in 30 Edward I. to superintend the levying of

[1] Leland's Coll. i. P. ii. 275. [2] Cal. Inquis. p. m., i. 69. 241.

the fifteenth in the counties of Oxford and Berks. Soon after the accession of Edward II., he was constituted a baron of the Exchequer, his patent bearing date November 28, 1307. While he held a seat on that bench, he frequently acted as an assessor of the taxes charged on the city of London, and as a justice of oyer and terminer in various counties, for the trial of offences connected with the revenue and its collection. He certainly continued in his place till nearly the end of the fifteenth year of the reign; having been summoned among the justices to parliament as late as March 14, 1322.[1] In 4 Edward II. he was dean of the free chapel of St. Peter, in Wolverhampton[2], and was certified as lord of that township in the ninth year. He held the chancellorship of Exeter from May, 1308, till August, 1309; and was afterwards a prebendary of Sarum, which he exchanged for the deanery of St. Paul's, London, to which he was admitted on September 15, 1323; this not improbably being the period when he resigned his seat on the bench. He died on January 15, 1336, and was buried in the church of St. Faith, under St. Paul's.[3]

## EVERDON, WILLIAM DE.

B. E. 1324.

*See* under the Reign of Edward III.

## EXETER, Chancellor of. *See* R. de Hengham; J. de Everdon.

## FISHEBURN, THOMAS DE.

Just. Itin. 1307.

*See* under the Reign of Edward I.

Thomas de Fisheburn was probably the son of Ralph de Fisseburn; who, in 42 Henry III., paid a fine of one hundred

[1] Parl. Writs, i. 110., ii. P. ii. 823, 824.
[2] Abbrev. Rot. Orig. i. 181.
[3] Le Neve, 89. 183.

shillings in Northumberland, for marrying Beatrice, the widow of William the Coroner.[1] He and Walter de Cambhou were appointed justices itinerant in Tindale, in that county, in 21 Edward I.[2]; and assizes taken before him and Geoffrey de Hertelpool in Cumberland, in the same reign, are referred to in 2 Edward II.[3] He is again mentioned in 35 Edw. I. as the last of eight persons commissioned by the king at the parliament then held at Carlisle, to convey to William Testa, the pope's clerk, the royal permission to act in the kingdom as his predecessors had done.[4]

There is little doubt that he continued to act as a justice of assize under Edward II., being named in several commissions till the seventh year of that reign, and being commanded, as was usual at intervals, to return the proceedings before him into the Exchequer to be estreated.

His name occurs as late as 10 Edward II., as empowered to raise men in Durham and Stockton.[5]

## FOXLE, JOHN DE.

B. E. 1309.

THE custody of the temporalities of the vacant abbey of Westminster was committed to John de Foxle in the first year of the reign of Edward II. On February 28, 1309, in the second year, he was constituted a baron of the Exchequer in the room of Roger de Hegham, deceased. Besides performing the duties of that court, he was frequently named in commissions, and appointed to take inquests by the parliament, and called upon to act as a justice of assize and of oyer and terminer in the provinces; and also in the perambulations of the forests. Although it would appear that he resigned at the beginning of 16 Edward II., as Roger Beler

[1] Excerpt. e Rot. Fin. ii. 278.
[2] Dugdale's Chron. Series.
[3] Abbrev. Placit. 307. 309.
[4] Rot. Parl. i. 210.
[5] Parl. Writs, ii. P. ii. 849.

was put in his place on July 20, 1322, yet in the following year he was employed in a judicial character in the counties of Oxford and Berks.

He died in 18 Edward II., possessed of considerable property in the counties of Hants, Berks, and Buckingham, part of which was granted to him by the king. Among other proofs of the royal favour, the manor of Ryndecombe, in Gloucestershire, and lands and tenements in Estbruggeford, Notts, and in Saxeby, Leicestershire, were committed to his charge; but on one occasion he was fined one mark, because he and his wife Constancia had taken possession of certain land in Berkshire without the king's license.[1]

## FRAUNCEYS, JOHN.

? Keeper, 1310.

John le Fraunceys, the baron of the Exchequer and justice in the reign of Henry III., was probably the uncle of Master John Fraunceys, the subject of our present inquiry, (the intervening article in the name being then not unfrequently omitted,) if he were the same party who is called John, the son of William le Fraunceys, who, in 22 Edward I., was engaged in a suit relative to land in Meburn[2], a manor which had belonged to the baron of the Exchequer. The various and discordant circumstances, however, mentioned in the entries connected with the name in the reign of Edward I. will give some idea of the difficulty in tracing any individual to whom it belonged.

In the parliament of 18 Edward I., when Thomas de Weyland, the chief justice, was disgraced, there is a petition from one John Fraunceys, who had been imprisoned for a

[1] Madox's Exch. i. 314., ii. 60.; Parl. Writs, ii. 891.; Dugdale; Rot. Parl. i. 298. 300—345.; Cal. Inquis. p. m., i. 318.; Abbrev. Rot. Orig. i. 199. 215. 232. 239. 283.

[2] Abbrev. Rot. Orig. i. 85.

year and a half in the Fleet by that judge, for a debt which Agnes de Valence claimed from him; and he was ordered to be bailed. In the same parliament there is a petition which charges John Frauncies with a murder, for which he had been acquitted, and a new trial is prayed for by reason of his kindred and his confederates having tried the appeal.[1] In the last year of the same king, 35 Edward I., 1306, a John Fraunceys represents that he was taken in the battle of Rosslyn, had lost his horses, arms, and everything he had, and was detained in a Scotch prison for fifty-seven weeks and only released on payment of a fine of forty marks; and he therefore prays for the grant of certain land in Staffordshire; the particulars of which are ordered to be reported to the king. And in the same parliament held at Carlisle, Master John Fraunceys, Rector of Queldryk, is one of the proctors sent by the clergy of the diocese of York.[2]

The last of these was probably the subject of the present notice; as the duty to which he was appointed was commonly performed by some officer in the court. Master John Fraunceys was a clerk in the Chancery, and, on May 12, 1310, 3 Edward II., on the Great Seal being surrendered by the chancellor, John de Langton, Bishop of Chichester, was one of the three persons under whose seals it was placed in the wardrobe[3]; a proceeding which scarcely warrants his being included in the list of keepers. He was among the "dilecti clerici," to whom, with others, the correction of the ordinances was submitted by the king in 5 Edward II.[4]; and he was summoned among the legal men to parliament in the two following years, after which his name does not appear.

[1] Rot. Parl. i. 47, 49.
[2] Ibid. i. 191. 193.
[3] Rot. Claus. 3 Edw. II., m. 6.
[4] Rot. Parl. i, 447.
[5] Parl. Writs, ii. P. ii. 893.

## FRISKENEY, WALTER DE.

B. E. 1320. Just. C. P. 1323. ? Just. K. B. 1324.

*See* under the Reign of Edward III.

## FULBURN, WILLIAM DE.

B. E. 1323.

*See* under the Reign of Edward III.

## GLOUCESTER, WALTER DE.

Just. Itin. 1310. B. E. 1311.

Master Walter de Gloucester, in a grant of lands in Lysenden in Gloucestershire, made to him in 16 Edward I., is called the son of Simon Lymereth.[1] He was evidently an officer of the Exchequer; and in 22 Edward I. was entrusted with the sheriffalty of Dorset and Somerset, which he held for five years.[2] He then was appointed by the treasurer and barons to visit the sea-ports to inquire into the concealment of the king's customs on wool, &c.[3] At this period he was one of the canons of Beverley.[4] He was next named, 28 Edward I., among the perambulators of the forests in Hants and Wilts; and about the same time was selected as one of the king's escheators, acting in the north till the end of that reign, and in the south for the first four years of the following. In 33 Edward I., he assisted in tallaging Kent; and two years afterwards he was a commissioner of array in Glamorgan, and paymaster of the levies there.[5]

During the early years of the reign of Edward II., he was summoned to parliament among the judges, and was engaged no doubt as escheator in various judicial commissions. He was, however, regularly constituted one of the three justices of

[1] Abbrev. Placit. 214.
[2] Fuller's Worthies.
[3] Madox's Exch. i. 784., ii. 169.
[4] Rot. Parl. i. 462.
[5] Parl. Writs, i. 636.; Abbrev. Rot. Orig. i. 103—178.; Madox, i. 740.

assize for Gloucestershire and four other counties, in December, 1310, 4 Edward II.[1] Dugdale does not notice him as a baron of the Exchequer, although there is no doubt that he was so, being designated by that title in two writs, directing him to confer with Nicholas de Segrave; and in the letters patent constituting Walter de Norwich a baron in his place. The patent of his own appointment has not been discovered, but it must have been between June 16 and July 5, 1311, the former being the date of his last summons to parliament, where he is evidently placed among the justices of assize, and the latter being that of the writ to Nicholas de Segrave.

He held his rank for little more than six weeks; for his death is recorded in Walter de Norwich's patent, which is dated on August 29.[2]

He died in possession of considerable property at Chertsey and Southwark in Surrey, and also in the counties of Lincoln, Worcester, and Gloucester. By his wife Hawise he had a son Walter, who died in 16 Edward II.[3]

## GOLDINGTON, WILLIAM DE.

Just. Itin. 1310.

There were at this time several families of this name. That of Sir William Goldington was established in Essex, where he held the manors of Raurethe, Badewe Parva, and Ringgers in Tirling, besides many broad lands; and acted in several judicial commissions for that county. He is mentioned in the Year Book as an advocate in the early part of the reign of Edward II., in the fourth year of which he was appointed one of the three justices of assize for Kent, Sussex, and Surrey. He continued to serve for several years in those and other counties, and was regularly summoned to parliament in

[1] Dugdale's Chron. Series.
[2] Parl. Writs, ii. 929.
[3] Cal. Inquis. p. m., i. 247. 305.

virtue of his office till the eleventh year. He died in 12 Edward II., and his executors were called upon to return his proceedings as a justice of assize into the Exchequer. He left a son named John, who was also a knight, and who was an adherent of the Earl of Lancaster and the other barons in rebellion.[1]

## GULDEFORD, HENRY DE.

JUST. ITIN. 1307.

*See* under the Reign of Edward I.

THE family of Guldeford was settled at Hempsted in Kent; and Henry de Guldeford obtained a license from the king to let for his life one hundred acres of land which he held in capite.[2] In 26 Edward I. he was appointed to perambulate the forests of the northern counties, receiving six shillings a day for his expenses; and two years afterwards was assigned to perform the same duties in the counties of Salop, Stafford, and Derby. He next appears at the head of the justices itinerant sent to visit the Isle of Jersey, a writ dated in 32 Edward I. being addressed to him to make a certain return as to a manor there seized into the king's hands.[3] During the whole of this time he was summoned among the justices to parliament.[4] In November, 1305, 33 Edward I., he was constituted one of the judges of the Court of Common Pleas; and the fines levied before him began in 15 days of St. Martin in the same year; but for some cause or other were not extended beyond that period.[5] It seems probable, as he is only mentioned subsequently as a justice itinerant, and in commissions for taking assizes, and as he was certainly not re-appointed under Edward II., that

[1] Parl. Writs, ii. P. ii. 934.; Cal. Inquis. p. m., i. 292.; Dugdale.
[2] Rot. Parl. i. 130.
[3] Ibid. 180. 421.
[4] Parl. Writs, i. 650.
[5] Dugdale's Orig. 44.

he was soon removed from the Common Pleas, and that Hervey de Staunton was placed there in his stead.

In the fourth year of Edward II., he was employed to take assizes for Kent, Surrey, and Sussex, and as a justice itinerant into Durham.[1] He died in the early part of 6 Edward II., his last summons to parliament being dated on July 8, 1312, the first day of that regnal year.[2] He was possessed of considerable estates in Sussex, Surrey, and Kent[2]; and several of his descendants were sheriffs of the latter county, one of whom entertained Queen Elizabeth at his manor-house. Robert, the last of the name, was made a baronet in 1685 by King James II.; but leaving no issue, the title became extinct at his death.[3]

## HEGHAM, ROGER DE.

B. E. 1307.

*See* under the Reign of Edward I.

ROGER DE HEGHAM was of a Kentish family; and probably the son of Robert de Hegham, whose widow, Matilda, paid for an assize in that county in 56 Henry III., 1272.[4] Brought up to the law, we find him in 21 Edward I. acting on the part of the king on a quo warranto at York.[5] In 25 and 26 Edward I. he assessed the tallage of London[6]; and in the latter year he was appointed to perambulate the forests of five counties, for which he was paid at the rate of six shillings a-day.[7] At the end of the same year he is mentioned on the records as a baron of the Exchequer[8], although Dugdale does not introduce him into his list till two years afterwards. In 33 Edward I. he was one of those assigned

[1] Dugdale's Chron. Series.
[2] Cal. Inquis. p. m., i. 252.; Parl. Writs, ii. 960.
[3] Burke's Extinct Baronetage.
[4] Excerpt. e Rot. Fin. ii. 571.
[5] Arch. Inst. York, Holy Trin. 154.
[6] Madox's Exch. ii. 235.
[7] Parl. Writs, i. 397.
[8] Madox's Exch. i. 467.

to treat with the Scottish representatives concerning the government of the land; and it was in the same year that he received in full Exchequer the gross insult from William de Brewes, which has been already described.[1] Besides performing his duties as a baron, he acted in the last year of that reign as a justice of assize in Durham, and was one of the justices of Trailbaston for the home counties.[2]

On the accession of Edward II., he was re-appointed to his seat in the Exchequer, which, however, he did not long retain, as he died about the middle of the second year, viz. between January 8, 1309, the date of the last writ summoning him to a council, and February 28 following, when his death is mentioned in the patent of John de Foxle, his successor.

His son, of the same name, was elected knight of the shire for Kent in the parliaments of 16 and 17 Edward II.[3]

## HENGHAM, RALPH DE, Chancellor of Exeter.

Ch. Just. C. P. 1307.

*See* under the Reigns of Henry III. and Edward I.

Ralph de Hengham was the son of Sir Andrew de Hengham, of a knightly family, seated at St. Andrew's manor at Hengham in Norfolk.[4] He was brought up to the then commonly united professions of the church and the law; in the former of which he held a canonry in St. Paul's and the chancellorship of Exeter. He was collated to the latter on October 19, 1275; but resigned it within three years and a half.[5]

Of his history as a lawyer, I find no mention till January, 1270, 54 Henry III., when the payment for assizes to be

[1] See antè, p. 43.; Abbrev. Placit. 256.
[2] Rot. Parl. i. 198. 218. 267.
[3] Parl. Writs, ii. P. ii. 991, 992.
[4] Blomefield's Norfolk, i. 679.
[5] Le Neve, 89.

held before him commence. This was probably the date of his appointment as a justice of the King's Bench, for which an annual salary of 40*l.* was assigned to him in the following year. These entries of assizes before him are very numerous; and the rapidity with which he established his reputation in the court is evinced by his standing at the head of the circuits in which he was employed during the next two years till the end of the reign.[1]

That, on the accession of Edward I., he was immediately removed to the Common Pleas, appears from a fine having been levied before him in November, 1272; and that his continuance in that court did not extend much beyond a year, is sufficiently evident from the absence of any fine on which his name is inserted after the following November in the second year.[2] Although no record exists of his appointment as chief justice of the King's Bench, and Dugdale does not name him in that character till 6 Edward I., an entry of Pleas "coram Domino Rege et R. de Hengham *et sociis suis*, justiciis de *Banco Domini Regis* in Octabis S. Michaelis anno regno &c. secundo, incipiente tercio, apud Westm.,"[3] is positive evidence that he was then at the head of the King's Bench; so that the date of his elevation must have been between November, 1273, and September, 1274. His salary was sixty marks per annum.

No circumstance worthy of note in his career occurs till 18 Edward I., when he was certainly removed from his office and fined. What was the precise charge against him is nowhere recorded, and the amount of the fine is variously stated. It has been generally fixed at 7000 marks: but the complaints against him in the next parliament were palpably too slight to warrant such a punishment, and probably were merely made by those mean spirits who are too ready to press

[1] Excerpt. e Rot. Fin. ii. 504—584.; Dugdale's Chron. Series.
[2] Dugdale's Orig. 44.
[3] Abbrev. Placit. 263.

a falling man. One was, that the chief justice had confirmed a false judgment pronounced by Solomon de Rochester, the justice itinerant; and another, that a man had been arbitrarily imprisoned by him.[1] There is much more probability that the fine did not exceed 800 marks, according to the tradition in the reign of Richard III., which attributed its imposition to Hengham's pity for a poor man having induced him to erase from the Roll a fine of 13*s.* 4*d.*, and substitute 6*s.* 8*d.* for it. The story went on to assert that with this fine the clock-house at Westminster was erected, and a clock placed in it which could be heard in the Hall.[2] This tradition was referred to by Justice Southcote, in the time of Queen Elizabeth; and by Chief Justice Holt in that of William III., when those judges were urged to alter a record.[3] That Hengham's offence could not have been a very grievous one, is sufficiently proved by his restoration to the Bench at a later date.

His retirement, however, was of ten years' continuance, and his return seems to have been gradual. His name is introduced nearly at the bottom of the list of judges and other officers who were summoned to the parliament of March, 1300, 28 Edward I., as if among the justices itinerant. In the following April he was the first named of those appointed to perambulate the forests of Essex, Buckingham, and Oxford[4]; and it was not till eighteen months afterwards, viz. on September 14, 1301, 29 Edward I., that he was restored to the Bench. He was not then replaced in his old court; but a vacancy having arisen by the death of John de Metingham, he was constituted chief justice of the Common Pleas.[5] In this office he continued till the end of the reign, and was re-appointed by Edward II. He served that king for a very

[1] Rot. Parl. i. 48. 52.
[2] 4 Inst. 255.
[3] Westminster Hall, i. 266.
[4] Parl. Writs, i. 664.
[5] Dugdale's Chron. Series.

short time; his last summons to parliament being dated March 4, 1309, 2 Edward II.[1]; and his death occurring a few days after, as his successor, William de Bereford, was appointed on March 15. He was buried in St. Paul's Cathedral, and Weever (p. 367.) gives his epitaph, in which he is called "Flos Anglorum" and "vir benedictus." His manor of St. Andrew's in Hengham he granted to his two brothers, Robert and William, in succession.

Some of his decisions may be seen in the Year Book of Edward II. Besides the "Registrum Brevium," which Coke calls "the most ancient book of the law," he left two works of note, called Hengham Magna and Hengham Parva, which have been published with notes by Mr. Selden, and are printed at the end of his edition of Fortescue de Laudibus Angliæ, 1741.

## HERLASTON, WILLIAM DE.

? KEEPER, 1321.

*See* under the Reign of Edward III.

## HERLE, WILLIAM DE.

JUST. C. P. 1320.

*See* under the Reign of Edward III.

## HERTELPOLE, GEOFFREY DE.

JUST. ITIN. 1307.

*See* under the Reign of Edward I.

GEOFFREY DE HERTELPOLE was an advocate in the courts of Westminster, and his name appears in that character in the Year Book of Edward II. There are two entries among the pleas showing that he acted with Thomas de Fisheburne as a justice of assize at Newcastle in the reign of Edward I.,

[1] Parl. Writs, ii. 995.

in the thirty-fifth year of which he was also joined with John de Insula and Hugh de Louther, in a commission to punish the soldiers raised in Westmoreland and Cumberland who had absented themselves from the army. In the same year also two petitions presented to the parliament, were referred to him and others to inquire into. In 34 Edward I. the king granted to him the manor of Kenweston in Durham for his services.

He was summoned to the coronation of Edward II., and continued during that reign to act as a justice of assize; attending the parliament among his brethren as late as the nineteenth year.

He had a lawsuit relative to his manor of Brereton in Northumberland, which seems to have lasted several years.[1]

## HOTHAM, JOHN DE, Bishop of Ely.

Chanc. 1318.

*See* under the Reign of Edward III.

## HOWARD, WILLIAM.

Just. C. P. 1307.

*See* under the Reign of Edward I.

The parentage of William Howard, or, as his name was more frequently spelled, Haward, the ancestor of the Dukes of Norfolk, is involved in some obscurity. Neither Dugdale nor Sir Egerton Brydges states it, both making him the *stirps* of the family.[2] Henry Howard of Corby Castle, however, in his Memorials, makes him the grandson of Robert Howard of Terrington and Wiggenhall, near Lynn in Norfolk, living in 12 Henry III., and son of John Howard, living in

[1] Abbrev. Placit. 306—309.; Parl. Writs, i. 379., ii. P. ii. 1003.; Rot. Parl. i. 194. 201. 295. 449.; Cal. Rot. Pat. 65.

[2] Dugdale's Baronage, ii. 265.; Brydges' Collins' Peerage, i. 52.

45 Henry III., and Lucy Germund, his wife.[1] The pedigree contained in the Arundel MS. in the British Museum, No. 512. fol. 456., and in the handwriting of Camden, states the grandfather to have been William de Wiggenhall, the son of Alanus, with whom it commences.[2] They were, Henry Howard adds, "what we should call private gentlemen of small estate, probably of Saxon origin,...living at home, intermarrying with their neighbours, and witnessing each other's deeds of conveyance and contracts."

That William Howard's property was of some considerable extent in Norfolk has been presumed from his being nominated one of the commissioners of sewers for the repair of the banks and drains in that part of the county where his estate was situate[3]; but as this occurred in 22 Edward I., the appointment more probably arose from his having already attained sufficient eminence in his profession to be selected as one of the eight special justices who were assigned in 21 Edward I., 1293, to take assizes throughout the realm, in aid of the judges of both benches, and of the justices itinerant. The district to which he was assigned comprehended the northern counties.[4] Whatever was the extent, however, of his patrimonial possessions, he gradually augmented them by purchases in Wiggenhall, East Winch, and other neighbouring townships.[5]

In his character of justice of assize he was summoned to the parliament of August, 1295. On October 11, 1297, 25 Edward I., he was constituted one of the judges of the Common Pleas, and took the oath to be faithful in the office in the Exchequer, before the chancellor and the barons of that court.[6] Both in 33 and 35 Edward I., he was one of

[1] Henry Howard's Memorials of the Howard Family (1834), App. xl.
[2] Ellis's Letters of Eminent Men (Camden Soc.), p. 115.
[3] Dugdale, and Brydges.
[4] Dugdale's Chron. Series.
[5] Memorials, ut supra.
[6] Madox's Exch. ii. 91.

the judges named in commissions of Trailbaston; the latter being the last year of King Edward's reign.[1]

On the accession of Edward II. he was re-appointed, and sat in the court during the whole of the first and part of the second year of that reign. Dugdale states that the last fine levied before him was on the morrow of St. John the Baptist, 2 Edward I., which I take to be the decollation of that saint, August 29, 1308, and not his nativity, June 25, 1309, because the patent of Howard's successor, Henry le Scrope, was dated November 20, 1308. Howard is described as chief justice of England on a window in the church of Long Melford in Suffolk, where he is portrayed in his judge's robes; but as this was not erected till about the reign of Edward IV. or of Henry VII.[2], and therefore nearly two hundred years after his death, it cannot be accepted as authority for a fact of which no other evidence appears.

He had two wives, both of whom were named Alice. The first was a daughter of Sir Robert Ufford, the ancestor of the family which acquired the earldom of Suffolk. The second was the daughter of Sir Edmund de Fitton of Fitton in Wiggenhall, St. Germain's, which she afterwards inherited. She and her husband resided at East Winch, near Lynn, where he built a chapel, adjoining the church, in which he was probably buried.

The first marriage produced no issue; but by the second he left two sons, Sir John and Sir William. Sir Robert, the lineal descendant of this Sir John in the fifth generation, married Margaret, the daughter of Thomas Mowbray, Duke of Norfolk, who ultimately became coheir of John Mowbray, the fourth duke. Their son John Howard was summoned to parliament as Baron Howard by Edward IV. in 1470, and was created Earl Marshal and Duke of Norfolk by

[1] Rot. Parl. i. 178. 218.

[2] Dugdale's Orig. 44. 99.

Richard III. in 1485; and is Shakspeare's "Jockey of Norfolk."

Not only does this, the premier dukedom, remain in the family; but in the present house of peers, the earldoms of Suffolk and Berkshire, of Carlisle and of Effingham, and the barony of Howard of Walden, are represented by descendants from the same parentage. Besides these, several other peerages which have now become extinct flourished during various periods: the viscounty of Bindon from 1559 to 1619; the earldom of Nottingham from 1597 to 1681; the earldom of Northampton from 1604 to 1614; the barony of Howard of Escrick from 1628 to 1714; the earldom of Norwich from 1672 to 1777; the earldom of Stafford from 1688 to 1762; the earldom of Bindon from 1706 to 1722.[1]

## INGE, WILLIAM.

JUST. ITIN. 1307. JUST. C. P. 1314. CH. K. B. 1316.

*See* under the Reign of Edward I.

WILLIAM INGE was an advocate of great eminence in his profession, and is mentioned by Dugdale as the king's attorney as early as 15 Edward I., 1287, being then retained to prosecute and defend for the king at a salary of 20*l.* a year.[2] He appears in that character on several occasions in the parliaments of 18 and 20 Edward I.[3]; and in the latter year is noticed as the king's serjeant at law. During that period, however, he was not summoned to assist in parliament. In 21 Edward I., 1293, he was one of the eight who were assigned as justices to take assizes, &c. throughout the kingdom in aid of the regular judges, his companion being Adam de Crokedayk, and his division Lincolnshire and nine

[1] Memorials, ut supra; Nicolas's Synopsis.
[2] Issue Roll, iii. 101. [3] Rot. Parl. i. 24. 28. 38. 83. 85.

other counties. He continued in that office till the end of the reign; numerous instances occurring in the Rolls of parliament, and in other places, proving that he was so employed.[1] In 28 Edward I. he was appointed to perambulate the forests of Gloucestershire and the neighbouring counties; and on April 6, 1305, 33 Edward I., he was the second of five justices of Trailbaston named for Norfolk and Suffolk; being also placed at the head of the same number in a similar commission in February, 1307.[2] From the time of his entering on the duties of a justice of assize, he was regularly summoned among the judges to parliament.[3]

The accession of Edward II. made no alteration in his position, except that he seems to have been more closely in connection with the king as one of his council[4], and employed in various negotiations. Until his elevation to the bench, his name appears among the advocates recorded in the Year Book, showing that notwithstanding his employment as a justice of assize, he did not desert his practice at Westminster. The patent of his appointment as a judge of the Court of Common Pleas was dated September 28, 1314, 8 Edward II.; but it is somewhat curious that the first fine mentioned by Dugdale as levied before him, is in Hilary, 1313, 6 Edward II.[5]; the date, however, has probably been misread or miscopied: the last fine was in July, 1315. In the previous January, while merely a justice of the Common Pleas, he opened, by the king's directions, the parliament then held at Lincoln.[6]

On the resignation of Roger le Brabazon as chief justice of the King's Bench, which took place on February 23, 1316, 9 Edward II., William Inge succeeded. The date of his

[1] Rot. Pat. i 150. 159. 161. 168. 189. 206.; Abbrev. Rot. Orig. i. 92. 96. 139.
[2] Rot. Parl. i. 218.; N. Fœdera, i. 970.
[3] Parl. Writs, i. 680.
[4] Madox's Exch. ii. 30. 57.
[5] Dugdale's Orig. 44.
[6] Rot. Parl. i. 350.

patent is not given, but that appointing his successor in the Common Pleas is dated March 10; and in the following August he is mentioned as chief justice of the King's Bench.

He presided over this court for little more than a year, for on June 15, 1317, 10 Edward II., he was displaced by Henry le Scrope. I am not aware of the cause of his removal; but the terms of the instrument directing him to deliver up the proceedings to his successor, indicate no displeasure.

By his return in 9 Edward II., and by the inquisition taken after his death, it appears that he had large possessions in the counties of Bedford, Dorset, Kent, Oxford, Hants, Surrey, Sussex, Essex, Herts, and Suffolk. A complaint was made against him to the parliament of 8 Edward II., for purchasing the manor of Woodmerston in Surrey, pending a writ. Part of his Kentish property, the manor of Stanstead, subordinate to Wrotham (near which he had also the manor of Ightham), he obtained by his marriage with Margery, one of the daughters of Henry Grapinell.

He died in 15 Edward II., 1321–2, leaving a daughter named Joane, who became the wife of Eudo or Ivo la Zouche.[1]

## INSULA, JOHN DE.

JUST. ITIN. 1307. B. E. 1313.

*See* under the Reign of Edward I.

SOME doubt has arisen whether this John de Insula, or De L'Isle, was the individual who is recorded by Dugdale as holding considerable possessions in the Isle of Wight, and engaged with the king in the Scottish wars[2], or whether there was not another of the same name wholly employed in legal occupations. The fact, that two of this name are

[1] Parl. Writs, ii. 1039.; Cal. Inquis. p. m., i. 299.; Hasted's Kent, v. 3. *55.*

[2] Dugdale's Baronage, i. 739.

entered in the list of those summoned to the parliament at Carlisle in the octaves of Hilary, 35 Edward I., 1307 [1], one as a baron, and the other apparently as one of the judges or learned persons in the law, seems to decide the question.

It is certain that this John de Insula was an advocate in the courts; and as early as 18 Edward I., 1290, was heard before the parliament on the part of the king in two suits there discussed. Two years afterwards he was amerced in 100 shillings for some contempt before the justices of assize [2]; but in 21 Edward I. was himself appointed to act in that character in nine counties.[3] On Oct. 21, 1295, 23 Edw. I., he was admitted as one of the barons of the Exchequer; and is so mentioned in Madox's list, in the thirty-first year.[4] In 33 and 35 Edward I. he was one of the justices of Trailbaston [5]; but whether he preserved his seat in the Exchequer at the same time does not appear. He was not, however, numbered among those barons who received patents on the accession of Edward II., though he was still regularly summoned with the judges to parliament, and in the fourth year of that reign was placed at the head of the justices of assize in the northern counties. He resumed his seat in the Exchequer, by a patent dated January 30, 1313, 6 Edward II., and is frequently noticed in that character, and also as acting on different circuits till the twelfth year. Soon after this he died, for his executors were commanded by writ, dated June 5, 1320, 13 Edward II., to cause all proceedings before him as a justice of assize or otherwise to be estreated into the Exchequer.[6]

[1] Rot Parl. i. 188, 189.
[2] Ibid. 18. 28. 33. 83.
[3] Dugdale's Chron. Series.
[4] Year Book, Part I. 36.; Madox's Exch. i. 323., ii. 44. 56. 292. 304. 324.
[5] Rot. Parl. i. 178. 218.
[6] Parl. Writs, ii. 1104.; Rot. Parl. i. 301—350.; Abbrev. Rot. Orig. 223.

## LANGTON, JOHN DE, TREASURER OF WELLS, ARCHDEACON OF CANTERBURY, BISHOP OF CHICHESTER.

CHANC. 1307.

*See* under the Reign of Edward I.

OF the parentage of John de Langton, or of the place of his nativity, nothing is known; nor whether he was connected with the family of Stephen Langton, Archbishop of Canterbury in 1193, or with that of his own contemporary, Walter de Langton, Bishop of Lichfield and Coventry. It may, however, be presumed, that his relationship to the latter was not very close, as his second elevation to the chancellorship, at the commencement of the reign of Edward II., took place at the very time when Bishop Walter was most violently persecuted; the proceedings against the one, and the advance of the other, being apparently instigated by the influence of the same individual, Peter de Gaveston.

John de Langton was a clerk in the Chancery, and is the first person to whom the title of master or keeper of the Rolls can be distinctly traced. In a patent of 14 Edward I., 1286, quoted by Mr. Hardy, he is called "Custos Rotulorum Cancellariæ domini Regis," a duty which then, probably, devolved on the senior clerk of the Chancery; as even in the present day that officer is still considered as the head of the masters of that court. A confirmation of his occupying the post appears in a memorandum in the parliament of 18 Edward I., 1290, that the transcript of letters sent to the court of Rome was delivered to him in the Chancery *to be enrolled.*[1] Like his brethren in that department, he was an ecclesiastic, and held, among other preferments, canonries in the churches of Chichester, Lincoln, and York, and the treasurership of Wells.[2]

[1] Rot. Parl. i. 25.

[2] Chapter Book, Chichester Cath. MS.

Within two months after the death of Robert Burnel, Bishop of Bath and Wells, John de Langton was appointed to succeed him as chancellor; and the Great Seal was delivered to him at Tuggehale, on December 17, 1292, 21 Edward I.[1] From a memorandum of words spoken in full chapter at Bath, it would seem that William de Hamilton, who had been performing the duties of the Chancery in the interim, had been expected to be raised to the place, and that John de Langton was not desirous of the elevation, as it was said that he was "chauncelir wolleye nulleye." This, however, may have been only the tattle of the day: but there are still extant several letters of congratulation, from abbots, priors, and others, addressed to him on the occasion; some of them accompanied, as was too common at the time, with applications for patronage and favour.[2] Langton continued the prudent and sagacious course pursued by Burnel, his predecessor; and witnessed, during his ministry, the triumph of his sovereign's arms in Scotland, and the resignation of that kingdom by Baliol. An event much more important in its consequences, also occurred while he held the Seal; viz., the enactment of the statute called "Articuli super Cartas," 28 Edward I., 1300, by which the great Charter was fully confirmed, and regulations made to prevent any future encroachments on its provisions.

On the death of William de Luda, Bishop of Ely, in 1298, a contest arose between the monks of that abbey, one party electing their prior, and the other John de Langton, to fill the vacancy. The king gave his assent to the latter choice; but the pope, to whom the two candidates hastened to submit their pretensions, superseded both, and placed another in the seat.[3] To conciliate all parties, however, the cunning pontiff raised the prior to the bishoprick of Norwich, and gave the

[1] Claus. 21 Edw. I., m. 10. [2] Seventh Rep., Pub. Rec., App., ii. 242.
[3] Godwin de Præsul. 259

archdeaconry of Canterbury, then a very valuable preferment, to John de Langton. This appointment took place in 1299.

During his absence at Rome, his official duties were performed by William de Hamilton, that is to say, from February 20 to June 16, 1299, when he returned.[2] He resigned the chancellorship on August 12, 1302, 30 Edward I., for what cause has not been stated; and after a lapse of seven weeks he was succeeded by William de Greenfield, Dean of Chichester.[3] In May, 1305, 33 Edward I., Langton was raised to the bishoprick of Chichester, and was consecrated on September 19 in the same year.

Soon after the accession of Edward II., he was again appointed chancellor. Although the precise date is not given, his nomination probably took place immediately after Ralph de Baldock, Bishop of London, the late chancellor, had deposited the Great Seal in the king's hands, on August 2, 1307. It is certain he was in full possession of the office in the following January, for on the 21st of that month he delivered up the Great Seal to the king, who was then proceeding to Boulogne to celebrate his nuptials with the French princess, Isabel; and received another to be used during the king's absence, which lasted only till February 7.[4] He continued chancellor till May 11, 1310, 3 Edward II., when he resigned the Seal.[5] Though this was shortly after the appointment of the lords ordainers, of whom indeed he himself was one, there is nothing to show that his retirement was occasioned by their proceedings.

He presided over his diocese during the remainder of the troubled reign of Edward II. and for the first ten years of that of his successor; dying June 17, or July 19, 1337. He

[1] Le Neve, 12.
[2] Claus. 27 Edw. I., m. 11. 18.
[3] Ibid. 30 Edw. I., m. 8.
[4] Ibid. 1 Edw. II., m. 11.
[5] Ibid. 3 Edw. II., m. 6.

was resolute in the performance of his ecclesiastical functions. Having excommunicated Earl Warren for adultery, that nobleman came with his retainers to lay violent hands on him; but the bishop, aided by his servants, succeeded in resisting their attempt, and threw the earl and all his party into prison. He was very bountiful to his see; and in the university of Oxford he founded a chest, still called by his name, out of which any poor graduate might, on proper security, borrow a small sum for his immediate necessities.[1]

LICHFIELD AND COVENTRY, Bishop of. *See* R. de Northburgh.

LICHFIELD, Treasurer of. *See* J. de Sandale.

LONDON, Bishop of. *See* Ralph de Baldock.

LONDON, Deans of. *See* Ralph de Baldock, ? J. de Sandale, J. de Everdon.

## LOUTHER, HUGH DE.

Just. Itin. 1307.

*See* under the Reign of Edward I.

Hugh de Louther was descended from a long line of ancestors, settled at Louther in Westmoreland. His father was of the same name, and his mother was a daughter of Moriceby, of Moriceby in Cumberland. He practised as an advocate, and had acquired sufficient celebrity in 19 Edward I., 1291, to be employed by the king; receiving for his fee 10*l.* for his services in Easter, and a similar sum in Michaelmas term in that year.[2] In the next year also, he was employed in the king's business in Shropshire. Dugdale on this account represents him as the king's attorney-general[3];

[1] Godwin de Præsul. 506.; Chapter Books, Chichester.

[2] Devon's Issue Roll, 102.

[3] Dugdale's Chron. Ser.

but it is to be remarked that Richard de Breteville and William Inge in those years acted in the same manner in other counties; and there is no proof that the office then existed as a separate appointment.

In the second commission of justices of Trailbaston, issued on Feb. 18, 1307, 35 Edward I., Louther was named among five to act in Norfolk and Suffolk; and in the same year he was assigned with John de Insula to inquire into a case which was brought by petition before the parliament, according to the course then usually adopted, of referring these investigations to judges and learned men in the law. Some other instances occur in the second and eighth years of Edward II., in the latter of which he acted as a justice itinerant in Yorkshire.[1]

He was returned a knight for the county of Westmoreland in 33 Edward I., and was one of the supervisors of the array for that county in 4 Edward II.[2] He died in the tenth year of the latter reign; and by his wife, who was a daughter of Sir Peter de Filiol, of Scaleby Castle in Cumberland, he left two sons, Hugh and Thomas. The latter will be mentioned as a judge of the King's Bench in the reign of Edward III. From the eldest son Hugh, the succession continued in lineal descent for more than three hundred years; when William III., in 1696, raised Sir John Lowther, the then representative of the family, to the peerage as Viscount Lonsdale and Baron Lowther; titles, however, which became extinct in 1750, after the death of his two sons, Richard and Henry, without issue. During the life of the latter, there were no less than four baronets of the family alive at the same time.

In 1784, James, the grandson of the first lord's uncle, was ennobled by George III. with the titles of Baron Lowther,

[1] Rot. Parl. i. 209. 218, 219. 280. 341. [2] Parl. Writs, i. 714., ii. 1118.

of Lowther, Kendal, and Burgh, Viscount of Lonsdale and of Lowther, and Earl of Lonsdale, but having no children, he obtained a new creation in 1797, of Baron and Viscount Lowther of Whitehaven, with a collateral remainder to the heirs male of his cousin, the late Rev. Sir William Lowther of Swillington, Baronet, who was a descendant of the third son of the great-grandfather of the first Viscount Lonsdale.

On the earl's death in 1802, the latter titles only devolved on Sir William's son, who in 1807 received the additional dignity of Earl of Lonsdale, now borne by his successor.[1]

## MADDINGLEY, ROBERT DE.

Just. Itin. 1314.

Maddingley is a parish in Cambridgeshire; and Thomas de Maddingley, whom I conceive to have been the father of Robert de Maddingley, was returned as burgess for Cambridge to the parliaments of 26, 29, 30, and 33 Edward I. Robert was one of the assessors of the tallage of that and three neighbouring counties in 6 Edward II., and was in several judicial commissions in that locality about the same period. In 8 Edward II., September 12, 1314, he was one of the justices of assize in Norfolk and Suffolk, William de Ormesby being the other; and he continued to perform the same functions in these and other counties till April, 1321, 14 Edward II., when, on account of his infirmity, John de Bousser was appointed in his place in a commission for Bedford and Bucks. His death is recorded in the patent confirming Bousser's appointment, dated May 8 following.[2]

## MALBERTHORP, ROBERT DE.

Just. K. B. 1320.

*See* under the Reign of Edward III.

[1] Brydges' Collins's Peerage, 695—716.; Nicolas's Synopsis.

[2] Parl. Writs, i. 720., i. P. ii. 1129.; Rot. Parl. i. 374. 448. 450.

## MALLORE, PETER.

JUST. C. P. 1307.

*See* under the Reign of Edward I.

PETER MALLORE was probably a descendant of Gislebert Mallore, one of the Conqueror's followers, and of Anchetil Mallore, who was employed in the reign of Henry II. as custos of the bishoprick of Sarum, and as dapifer of the Earl of Leicester. Peter married Matilda, the widow of Elyas de Rabayne, and one of the two daughters and coheirs of Stephen de Bayeux (the brother of John de Bayeux, mentioned as a justice itinerant under Henry III.), and in 18 Edward I. petitioned parliament in relation to her part of her father's property, the process concerning which was not completed in 9 Edward II.[1] He held the town of Melcombe, and certain lands at Dodemerton in Dorsetshire, in ferm under the king at a rent of 6*l.* 10*s.* per annum[2]; and was summoned to perform military service against the Scots in 28 Edward I., as holding lands in that county of the yearly value of 40*l.* This property was no doubt granted to him in compensation for his services as a judge.

Nothing is told of his legal life before he was raised to the bench of the Common Pleas, where he sat for above seventeen years. The patent appointing him was dated 20 Edward I., probably the end of that year; for the first fine levied before him was in November, 1292, 21 Edward I., and the last was in June, 1309.[3] During this period, he seems to have been very actively employed. Sir William Wallace was tried before him in 1304[4], and he was excused from his attendance in parliament for the purpose; and in 1307 he

[1] Rot. Parl. i. 44. 337.
[2] Serviens ad legem, 282.; Dugdale's Orig. Jurid. 44.
[3] Madox's Exch. i. 335.
[4] Turner's England, ii. 90. *note.*

was selected as one of the justices of Trailbaston for the home counties.

He was evidently removed soon after the above fine of 1309 was acknowledged before him; because, although he was summoned as one of the assistants of the council to the parliament of February 8, 1310, he was not included among the six judges of the Common Pleas appointed on September 29, 1309.[1] He died about the commencement of the next regnal year, July, 1310, 4 Edward II.[2]

## MELTON, WILLIAM DE, Archbishop of York.

? Keeper, 1308.

*See* under the Reign of Edward III.

## MIDDLESEX, Archdeacons of. *See* Ralph de Baldock, Robert de Baldock.

## MIDDLETON, ADAM DE.

Just. Itin. 1307.

*See* under the Reign of Edward I.

Adam de Middleton was the possessor of the manor of that name in the county of York. In 33 Edward I., April 6, 1305, he was the last named of five justices of Trailbaston appointed for the ten northern counties.[3] He held the same place in the new commissions issued in 1307; and in the parliament held that year at Carlisle, a reference was made to him as to the excessive payment required for the passage of the Humber.[4] In 5 Edward II., the custody of the castle of Kingston-upon-Hull and of the manor of Mitton was committed to him[5]; and by a mandate to attend the parliament in 7 Edward II., 1313, it appears that

[1] Parl. Writs, i. 722,, ii. 1136., also p. 40.
[2] Cal. Inquis. p. m., i. 239.
[3] N. Fœdera, i. 970.
[4] Rot. Parl. i. 202. 218.
[5] Abbrev. Rot. Orig. i. 187.

he was then employed as a justice of assize. He is last named in the ninth year of that reign, when he was certified as holding several lordships in the counties of Notts and York.[1] In 35 Edward I. he had a grant of a cow pasture in Heselspring in Cumberland, to which his son Peter, a justice itinerant under Edward III., succeeded.[2]

## MORTIMER, WILLIAM DE.

JUST. ITIN. 1307.

*See* under the Reign of Edward I.

IT does not appear how this William de Mortimer (Mortuomari) was connected with the noble families of that name; and Blomefield, in speaking of one of them in Norfolk, acknowledges the difficulty, in consequence of the many collateral branches, of distinguishing the individual.[3] All that is recorded of this William is, that he was one of the justices itinerant appointed in 20 Edward I., 1292, for the northern counties, and that in the thirty-second year he acted as a justice of assize in ten of the inland counties.[4] In the following year, he was named a receiver of the petitions of Ireland and Guernsey, in the parliament held at Westminster in September.[5] During the reign of Edward II. he continued to act as a justice itinerant, and to be summoned as such to parliament till the ninth year.[6]

## MUTFORD, JOHN DE.

JUST. ITIN. 1307. " JUST. C. P. 1316.

*See* under the Reigns of Edward I. and Edward III.

[1] Parl. Writs, ii. 1172.
[2] Rot. Parl. i. 201.; Abbrev. Rot. Orig. ii. 106.
[3] Blomefield's Norwich, i. 345.
[4] Dugdale's Chron. Series.
[5] Rot. Parl. i. 159.
[6] Parl. Writs, ii. 1205.

## NORTHBURGH, ROGER DE, Archdeacon of Richmond, Bishop of Lichfield and Coventry.

? Keeper, 1321.

Roger de Northburgh is stated by Godwin to have been captured in battle by the Scots in 1313. Two years afterwards we find him in the king's service attesting a royal writ; and in April, 1316, he was certainly keeper of the wardrobe. On September 18, 1320, he was employed on a mission to Carlisle, to treat for a truce with the Scots; and returned on October 13, receiving, for the expenses of himself and his suite, the sum of 25*l.*[1] We next find the king, in consequence of the chancellor's illness, delivering the Great Seal into Northburgh's custody, as keeper of the wardrobe. This occurred on April 16, 1321, 14 Edward II.; and it would appear that writs were then sealed in his presence and that of two of the clerks in Chancery; after which the Seal was replaced in the wardrobe, where it remained at that and a subsequent period.[2] As, however, this was a place commonly used for its secure deposit, there is scarcely sufficient reason for inserting the head of that department in the list of keepers of the Seal.

On May 29, 1317, the king presented Roger de Northburgh with the archdeaconry of Richmond; and subsequently procured his election to the bishoprick of Lichfield and Coventry, which took place on April 12, 1322. Over that see he presided for nearly thirty-eight years, with nothing to distinguish the remainder of his life, except that he held the office of treasurer for two short periods in the second and fourteenth years of the reign of Edward III. He died in November or December, 1359; and is commemorated among the chancellors and benefactors of Cambridge.[3]

[1] Archæologia, xxvi. 334. [2] Parl. Writs, ii. P. ii. 731. 1231.
[3] Le Neve, 124. 324.; Godwin de Præsul. 320.; Dugdale's Chron. Series.

NORWICH, BISHOPS OF. *See* J. SALMON, W. DE AYREMYNNE.

NORWICH, CHANCELLORS OF. *See* R. DE AYREMYNNE.

## NORWICH, WALTER DE.

B. E. 1311. CH. B. E. ? 1312, 1317.

*See* under the Reign of Edward III.

## OKHAM, JOHN DE.

B. E. 1317.

JOHN DE OKHAM was joined in the commission with the escheator ultra Trentam to take into the king's hands the property of Anthony, patriarch of Jerusalem and bishop of Durham, on his death in 4 Edward II.[1] During the four following years, he was clerk to Ingelard de Warlee, keeper of the wardrobe [2], and held the office of cofferer of that department.[3] On June 18, 1317, 10 Edward II., he was constituted one of the barons of the Exchequer in the place of Richard de Abyndon.

As he was not summoned to parliament beyond March 14, 1322, 15 Edward II., it is probable that he, about that time, was removed from the bench; but of this no entry affords any certainty. There is no doubt, however, that he was not included among the barons sworn in at the commencement of the next reign.[4]

He is called "clericus," and being a canon of the free chapel of St. Martin's, London, the custody of its deanery was committed to him in 19 Edward II.[5]

[1] Abbrev. Rot. Orig. i. 175.
[2] Rot. Parl. ii. 437.
[3] Cal. Rot. Pat. 74.
[4] Parl. Writs, ii. 1244.
[5] Abbrev. Rot. Orig. i. 290.

## ORMESBY, WILLIAM DE.

? Just. K. B. 1307. Just. Itin. 1307.

*See* under the Reign of Edward I.

William de Ormesby was appointed a judge of the King's Bench at the same time that Roger le Brabazon was raised to the chief justiceship of that court, in 24 Edward I., 1296. He had, however, acted previously as a justice itinerant into Northumberland and the other northern counties, in 20 Edward I., and into Yorkshire in the following year.[1]

On the reduction of Scotland in 1296, he was constituted justiciary of that country; and by the rigour with which he extorted the penalties imposed by King Edward on those who refused to take the oath of fealty to him, he naturally excited the deep and general odium of that people. Wallace, in the following year, surprised him while holding his court at Scone; and his followers being dispersed, he himself barely escaped.[2]

On his return to England, he resumed his duties in the King's Bench, in which he is mentioned till the end of the reign; as well as frequently on iters, and as chief of the justices of Trailbaston assigned for the counties of Norfolk and Suffolk, in 1305, 33 Edward I.[3]

Some doubt may arise as to his having been re-appointed to his seat in the King's Bench on the accession of Edward II., as no such writ was directed to him to take the oaths as was addressed to his fellows, on September 6, 1307; and his name does not judicially appear in the Abbreviatio Placitorum after the death of Edward I. It is true that he was summoned to attend the first parliament, and stands in his proper place in the list; but this was by a previous writ, dated August 26: and though he is summoned to all the subsequent parliaments up to 11 Edward II., he is generally placed in

[1] Dugdale's Chron. Series.

[2] Triveti Annales, 356.; Tytler's Scotland, i. 123. 128.

[3] Abbrev. Placit. 242. 259. 294.; Rot. Parl. i. 166. 198.; Parl. Writs, i. 407, 408.

that part of the list appropriated to the justices itinerant. That he acted in the latter capacity, during the remainder of his life, there can be no question; and it is not unlikely that he was allowed, at the commencement of the new reign, to retire from the heavier duties of the King's Bench to his estates in Norfolk and Suffolk, in which counties he was principally employed as a justice of assize during the whole period.[1] He died about 1317, and was buried at the abbey of St. Benet's, at Hulme in Norfolk, to which he was a benefactor.[2]

In the pleas of 2 Edward II. he is spoken of as the husband of Sibilla, late the wife of Roger Loveday, the justice itinerant mentioned in the last reign[3]: and among the escheats or inquisitions post mortem of 7 Edward II., occurs the name of Elena, the wife of William de Ormesby.[4] This may perhaps be explained by supposing that there might be two Williams de Ormesby, both of Norfolk; a suspicion which receives some probability from the fact, that while the judge was summoned with his fellows to the parliament at Carlisle, in 35 Edward I., a burgess of the same name was returned to the same parliament for Yarmouth, in Norfolk. They might, however, be still the same person, for there is no proof that judges, or at all events justices itinerant, were then precluded from sitting among the Commons.

William de Ormesby is sometimes erroneously called chief justice of England; a mistake manifestly arising from his having held that position in Scotland.

## OSGODBY, ADAM DE.

M. R. 1307. KEEPER, 1311.

*See* under the Reign of Edward I.

No mention is made of Adam de Osgodby till his appointment of keeper of the Rolls of Chancery, on October 1, 1295,

[1] Parl. Writs, i. 766., ii. 1246.; Rot. Parl. 275. 341. 450.
[2] Taylor's Index Monast. 2.
[3] Abbrev. Placit. 307.
[4] Cal. Inquis. p. m., i. 254.

23 Edward I.[1] He no doubt had been previously one of the clerks of the Chancery; and, from several entries relating to the deposit of the Seal during the temporary absence of the chancellor, it is plain that he was still considered as the chief of them. He remained uninterruptedly in the office till 10 Edward II., 1316, a period of nearly twenty-one years. In both reigns he frequently performed the functions of the chancellor, when absent, sometimes alone, and sometimes in connection with two or three of the other clerks. In that of Edward I. he held it, under the seals of three clerks, during the vacancy in the chancellorship occasioned by the resignation of John de Langton, from August 23 to September 30, 1302, the date of the elevation of William de Greenfield[2]; under whom, during an absence, he again held it from October 30 to December 11, 1302[3]; and a third time, from December 29, 1304, till January 16, 1305, between the nomination and arrival of William de Hamilton.[4] At the parliament held at Carlisle in January, 1307, 35 Edward I., he acted as proctor for the dean and chapter of York, being then a canon of that cathedral.[5]

From the third to the end of the eighth year of Edward II., the Seal was frequently deposited with Osgodby in the same manner. At first it was merely in the absence of the chancellor; but between the resignation of Walter Reginald, Bishop of Worcester, as chancellor, and his appointment as keeper of the seal, viz. between December 9, 1311, and October 6, 1312, Adam de Osgodby, Robert de Bardelby, and William de Ayremynne are distinctly described as keepers of the Seal[6], and transacted all the business connected with it. While Reginald continued keeper, the Great Seal was always secured by the seals of these three.[7]

[1] Rot. Claus. 23 Edw. I., m. 6.
[2] Ibid. 30 Edw. I., m. 6. 8.
[3] Ibid. m. 2.; and 31 Edw. I., m. 18.
[4] Ibid. 33 Edw. I., m. 22.
[5] Rot. Parl. i. 190.
[6] Ibid. i. 357.
[7] Parl. Writs, ii. P. ii. 1249.

Adam de Osgodby, like all his brethren in the Chancery, was an ecclesiastic, and held the living of Gargrave, in Yorkshire. On November 7, 1307, 1 Edward II., the king granted to him the office of custos of the House of Converts, in Chancery Lane, during pleasure; but, by a patent in the seventh year, secured it to him for life.[1] It was not, however, till the year 1377 that this office was permanently annexed to that of keeper of the Rolls.

His death occurred in August, 1316, on the 19th of which month his successor, William de Ayremynne, was appointed. He left property in Yorkshire, to which Walter de Osgodby, probably his brother, succeeded.[2]

## PASSELE, EDMUND DE.

B. E. 1323.

SEVERAL members of this family, whose name is sometimes spelled Passelewe and Passelegh, held offices in the Exchequer for many years. In the reign of Henry III. there were William, Robert, and Simon; the last of whom has been already noticed as a baron of that court.[3] Under Edward I., another Robert was employed as an assessor of the subsidies in Sussex, for which county he was returned as knight of the shire in the twenty-fourth and twenty-eighth years of that reign.[4]

It is very probable that Edmund de Passele was the son of the latter, as he had considerable estates in that county. In 16 Edward I. he was appointed one of the commissioners to inquire as to the damage done by the overflowing of the sea in the Isle of Thanet[5]; and in the thirty-second year he as-

[1] Rot. Pat. 1 Edw. II., p. 1. m. 13.; 7 Edw. II., p. 1. m. 17.
[2] Cal. Inquis. p. m., i. 194. 279. ; Abbrev. Rot. Orig. i. 235.
[3] See vol. ii. p. 436. ; Abbrev. Rot. Orig. i. 7, 8, 9, 10.
[4] Parl. Writs, i. 771.
[5] Lewis's Isle of Thanet, 77.

signed some lands in Sussex for the support of a chaplain to do daily service in the chapel of Kethenourelegh, performing afterwards a similar pious act by devoting certain tenements in Ludenham, Kent, to his chapel de la Legh.[1]

His name appears in the Year Book of Edward II. as an advocate; and in the third year of that reign he was specially employed by the king and the council to attend to the king's pleas, and is thereupon designated by Dugdale, from the marginal title, a serjeant. From that till the sixteenth year he was frequently engaged as a justice of assize, or otherwise; and as such was commanded to bring his proceedings into the Exchequer to be estreated, and received the customary summons to attend the parliaments.

On September 20, 1323, 17 Edward II., he was constituted a baron of the Exchequer, the duties of which he continued to perform till the end of the reign. His death occurred in the first year of Edward III., leaving Isabella his widow. Two sons of his are mentioned; one William, in 9 Edward II., in the grant of the manor of Parrok, in Hertfield, Sussex; and the other, John, who seems to have withheld the third part of this manor from Isabella the widow.[2]

## RADESWELL, or REDESWELL, JOHN DE.

B. E. 1326.

Master John de Radeswell was probably the John de Radeswell who was the complainant in a suit in 18 Edw. I., wherein he recovered a considerable estate in Bedfordshire from Henry, the son of Beatrice, the widow of Robert de Radeswell, by proving that Henry was born eleven days after the forty weeks which is the legitimate time of bearing by women, the more especially as it was further shown that

[1] Abbrev. Rot. Orig. i. 132. 207.

[2] Parl. Writs, ii. 1261.; Abbrev. Rot. Orig. ii. 6. 62.; Abbrev. Placit. 325.

Beatrice had no access to her husband for one month before his death.[1]

In 18 Edward II., John de Radeswell is mentioned as "Senescallum Regis," and principal custos of the lands and tenements of Queen Isabella in England and Wales, with an annual fee of 40*l.* Two years afterwards, on September 1, 1326, he was advanced to the office of a baron of the Exchequer, which he held only for the few remaining months of that reign.

Though not re-appointed by Edward III., he was still employed in Exchequer business; being assigned towards the end of the first year to supervise and appraise the goods and chattels of Walter Reginald, Archbishop of Canterbury, then lately deceased; and in the record he is called "Clerious Regis."[2]

## RANDOLF, JOHN.

JUST. ITIN. 1307.

*See* under the Reigns of Edward I. and Edward III.

## REGINALD, or RAYNALD, WALTER, BISHOP OF WORCESTER, ARCHBISHOP OF CANTERBURY.

CHANCELLOR, 1310.

THE career of Walter Raynald, or Reginald, affords an early instance in English history of the advance of an individual from the lower ranks of life to the highest ecclesiastical honours. He was the son of a baker at Windsor, and being bred up to the church, was brought under the notice of Edward I., a monarch whose powers of discrimination were seldom at fault. The king soon discovered merit in the youthful aspirant, whose appointment as tutor to the young prince is no small evidence in favour of his character and

[1] Abbrev. Placit. 221.; also p. 234., where Robert is called Bartholomew.
[2] Abbrev. Rot. Orig. i. 282., ii. 11.; Parl. Writs, ii. 1319.

abilities. To what particular branches his instructions were devoted does not appear; but, judging both from the earlier and the more matured career of his pupil, he failed (as might be expected from the events of his own life) to check the weakness of the prince's judgment, or to instil into him steadiness of purpose. He, however, satisfied the father, from whom he received the living of Wimbledon in 1298; and ingratiated himself with the son, whose continued employment of him, while Prince of Wales, is evidenced by a letter dated in October, 1305, directing him to go to the barons of the Exchequer to obtain a release, for a widow in Wales, from a distress which they had illegally issued against her.[1]

On the accession of his pupil he was rapidly advanced. He immediately obtained a canonry in St. Paul's, and was constituted treasurer of the Exchequer on August 22, 1307. To this was added the bishoprick of Worcester in April, 1308; and on July 6, 1310, 3 Edward II., resigning the treasurership[2], the Great Seal was placed in his hands. The terms used on the roll recording this event make it doubtful whether he was invested with the office of chancellor or with that of keeper. The oath he is described as taking, is "de officio Sigilli illius fideliter exequendo;"[3] which would seem to apply more directly to the latter. In subsequent records, however, he is certainly called chancellor[4]; and there is little doubt that he held the Great Seal in that character till December 19, 1311, 5 Edward II.[5] Soon after his appointment he lent 1000*l.* to the king, to the advance of which has been attributed, without sufficient evidence, his attainment of the Seal; but as the loan was made after his elevation, it may more charitably be ascribed to his desire to assist the king in the necessities which then pressed upon

[1] Ninth Rep., Pub. Rec., App., ii. 249.
[2] Madox's Exch. ii. 38. l. m.
[3] Rot. Claus. 4 Edw. II., m. 26.
[4] Madox's Exch. ii. 48. a.
[5] Rot. Claus. 5 Edw. II., m. 18.

him, the ordainers being in fact at that time in possession of the government and the royal purse; — an order, indeed, for the repayment of nearly one half of it was made so early as May 1, 1311.[1]

Between December 19, 1311, and October 6, 1312, the Seal never appears to have been under his control; but on the latter day it was again placed in his hands, only, however, as custos or keeper, remaining sealed up under the seals of the master of the Rolls and two other clerks in Chancery, in whose presence it would seem that all writs were sealed.[2] In this manner the office was executed till April 5, 1314, 7 Edward II.[3], which is the last date on which the bishop is mentioned in connection with the Seal.[4]

His removal from this high office, which no doubt took place about that time, was not occasioned by any diminution of his sovereign's favour, but rather by his having attained a higher elevation. On the decease of Archbishop Winchelsey in May, 1313, although the monks had elected Dr. Cobham, the sub-Dean of Salisbury — a most learned and excellent man, — in his place, the king contrived to get the election annulled by the pope, and his favourite, Walter, to be substituted for him. The bull by which this was effected is dated October 1, 1313; and he was with great pomp enthroned on April 19, 1314, in the presence of the king and queen and a large attendance of the nobility. His rule over of the archbishoprick was illustrated by the acquisition of many important privileges from the papal see. He obtained no less than eight bulls conferring extensive powers of visitation and dispensation.

During the earlier troubles with the barons he remained faithful to the king; but, on the queen's invasion of the kingdom, he basely deserted his patron and master, adding strength

[1] Rot. Claus. 4 Edw. II., p. 2. m. 2
[2] Ibid. 6 Edw. II., m. 5. 26.
[3] Ibid. 7 Edw. II., m. 7.
[4] Ibid. 8 Edw. II., m. 32.

to her party by the weight of his position, and, on the king's deposition completing his infamy by crowning the son of his benefactor.

This event, which took place on February 1, 1327, was quickly followed by his own death. The adulterous queen is said to have so pressed the consecration of James de Berkley, elected Bishop of Exeter, that the pusillanimous archbishop, more fearful of the prevailing and present power than that of the pope at a distance, did not dare to resist. The Roman pontiff, enraged that his confirmation had not been first obtained, by his threats and reproaches against the offending prelate created such terror or such remorse in his mind, that, within a few days after the announcement of the pope's anger, a mortal sickness fell upon him. His death occurred at Mortlake on November 16, 1327, and his remains were interred in Canterbury Cathedral.[1]

To the convent of Christchurch, the hospital of Maidstone, and Langdon Abbey, he made considerable benefactions: but any credit which he may have deserved for his liberality, or for his mildness, prudence, and capacity for business, must be overshadowed by the time-serving and abject weakness of his character. To this cowardly spirit must be attributed his ungrateful treachery to his king, his subserviency in the matter of the Bishop of Exeter, and the dread of the papal power which terminated his life.[1]

## RETFORD, ROBERT DE.

Just. Itin. 1307.

*See* under the Reign of Edward I.

By two pleas in 18 Edward I., relative to certain land in Ordesale, Nottinghamshire, it appears that Robert de Retford was the son of Richard, who was the son of Thomas de Ret-

[1] Godwin de Præsul. 103. 462.; Hasted's Kent, xii. 379.; Angl. Sac. i. 18. 59. 532.

ford[1], so called from a town in that county. He was first summoned to parliament among the judges in August, 1295, 23 Edward I., and there are records of his pleas as a justice itinerant at Norwich and at Dunstable in the next year.[2] His attendance in parliament in that character is noted till the end of the reign[3], in the thirty-fifth year of which, February, 1307, he was placed among the justices of Trailbaston for the home counties.[4]

Dugdale does not introduce him into his Chronica Series till 4 Edward II.; but there is not only the above proof of his acting in the previous reign, but also, from the commencement of this, there are regular writs summoning him to parliament in the same manner. They are continued till June, 1318, 11 Edward II., and there is evidence of his exercising his functions not only in the home district, but in Durham and in Leicestershire, up to the ninth year of that reign.[5]

Among the records of the treasury of the Exchequer is an indenture dated April 29, 9 Edward II., whereby the *executors* of Robert de Retford delivered up a very large number of the rolls and writs of the justices in Eyre which had been in his possession.[6] The only way to account for his being summoned to parliament apparently after his death, is by supposing either that there is a mistake in the date of this indenture, or, what is more probable, that the parliamentary writs were made out from a list, in the correction of which the clerks did not exercise sufficient care.

RICHMOND, ARCHDEACONS OF. *See* R. DE NORTHBURGH, R. DE WODEHOUSE.

[1] Abbrev. Placit. 284.
[2] Abbrev. Rot. Orig. i. 96, 97.
[3] Parl. Writs, i. 801.
[4] Rot. Parl. i. 218.
[5] Ibid. i. 346.; Dugdale's Chron. Series; Parl. Writs, ii 1331.
[6] Cal. Exch. iii. 114.

## RODBOROUGH, MILO DE.

Just. Itin. 1310.

Milo de Rodborough took his name from that town in Gloucestershire; but was apparently resident in Worcestershire in the early part of the reign of Edward II., as in the third year he was one of the assessors and collectors in that county of the twenty-fifth which was granted by parliament, and was also in a local judicial commission therein. In the next year, 1310, he was the last named of the three justices of assize appointed for both these counties and three neighbouring ones. It seems that he acted by himself in Gloucestershire; for before the end of that year, viz., on May 26, 1311, a commission was issued to four justices to hear the complaints made against him in a petition from the men of that county, charging him with many acts of oppression, corruption, and malversation in the execution of his office. The result of this inquiry does not appear; but it may be presumed to have been favourable to him, inasmuch as in the two following years he was responsibly employed, and, in the latter, was one of three assigned to talliate the cities, &c. in the same five counties over which his commission as a justice of assize extended. He died in 7 Edward II.[1]

## ROUBURY, GILBERT DE.

Just. K. B. 1307. Just. C. P. 1316.

*See* under the Reign of Edward I.

Before Gilbert de Roubury became a judge, he evidently held some place of consideration in the courts; several instances occurring of his name being added to those of the justices commissioned to take inquisitions[2], and of his car-

[1] Parl. Writs, ii. P. ii. 1344.; Dugdale; Abbrev. Rot. Orig. i. 205.

[2] Rot. Parl. i. 29. 100.

rying records into court.[1] His appointment as a justice of the Court of King's Bench occurred in 23 Edward I., 1295[2], during the remainder of which reign he seems to have taken a prominent part in the administration of justice. Summoned among his brethren to parliament, he was frequently selected as one of the receivers of petitions[3]; and in the Statute of Champerty, 33 Edward I., he is specially mentioned as clerk of the king's council, and as recommending the writ of conspiracy.[4]

On the accession of Edward II. he was re-appointed to his seat in the King's Bench; and in the ninth year of that reign, March 10, 1316, he was removed into the Common Pleas, taking the place vacated by William Inge.[5] Fines were levied before him there from that year till the beginning of 14 Edward II.[6]; and the last summons to council addressed to him is dated November 29, 1320. He retired from the court, or died, before May 31, 1321, and was succeeded by John de Bousser; for though the patent to the latter does not, from being illegible in parts, distinctly state the fact, it is made apparent by the subsequent direction to the judges to admit the said John de Bousser in the place "prædicti Gilberti;" and there was no other Gilbert then in the Common Pleas.[7]

SALISBURY, CHANCELLOR OF. *See* R. DE AYREMYNNE.

## SALMON, JOHN, BISHOP OF NORWICH.

CHANCELLOR, 1320.

WE learn that the names of the father and mother of John Salmon were Salomon and Amicia, from his appointing four

[1] Rot. Parl. i. 81, 82. 113. 126.
[2] Rot. Parl. i. 159. 182. 189.
[3] Rot. Pat. 9 Edw. II., p. 2. m. 22.
[4] Rot. Pat. 14 Edw. II., p. 2. m. 6.
[5] Dugdale's Chron. Series.
[6] Stat. at large, i. 150.
[7] Dugdale's Orig. 44.

priests to pray for their souls in a chapel he founded in the chancel of Norwich Cathedral; and it may be presumed that the family was not of any eminence, from the bishop's assuming for his arms a rebus of his name; three silver salmons hauriant on a sable field. He is sometimes called John of Ely, having been prior of the convent there. Holding this dignity when William de Luda, bishop of that see, died in 1298, he was elected his successor; but the pope interfering in favour of Ralph Walpole, Bishop of Norwich, translated that prelate to Ely, and conferred the bishoprick of Norwich on Salmon by a bull dated July 15, 1299. Salmon was not employed by Edward I., but he visited Rome in 1306. On the accession of Edward II. he was sent to France as one of the ambassadors to demand Isabella, the daughter of King Philip, as the wife of his sovereign. In the third year of the reign he was chosen one of the lords ordainers; and in the ninth he was among the commissioners to open the parliament then held. On this occasion he made a speech on the king's behalf, and took the part of his sovereign throughout his troublesome reign.

On January 26, 1320, 13 Edward II., he was appointed chancellor in full parliament, in the place of John de Hotham, Bishop of Ely; but, though he retained the office for three years and a half, he seems to have been so severe a sufferer from ill health, that the business of the Chancery was frequently performed by deputies. His delivery of the Seal to the custodes directed to act for him, on June 5, 1323, when he was confined to his bed, may be considered as the date of his ultimate retirement, although the entry is precisely similar to those made on previous occasions, and although the new chancellor was not named till the 20th of August following.

He recovered from that sickness; for in the following year he went as ambassador to the court of France, and succeeded

in negotiating a peace between the two kings. His health, however, again failing, he died at the priory of Folkestone on July 2, 1325, having presided over his diocese for nearly six-and-twenty years.

Under his name of John of Ely he is enumerated among the benefactors to the university of Cambridge. At Norwich he built not only the chapel already alluded to, but a great hall in the palace, the porch of which is the only remnant of its former magnificence.[1]

## SANDALE, JOHN DE, TREASURER OF LICHFIELD, ? DEAN OF LONDON, BISHOP OF WINCHESTER.

CHANCELLOR, 1314.

JOHN DE SANDALE held an office connected with the Treasury or Exchequer in 30 Edward I., 1302, when he is mentioned as receiving a crown for Queen Margaret[2]: in the following year he and John de Drokenesford are called treasurers[3]; and he was likewise one of those appointed to assess the tallage in London and Middlesex, Kent, Surrey, and Sussex. In 33 Edward I., he was present at the parliament then held at Westminster, and was named one of the receivers of the petitions of Gascony; and in that year also he became chamberlain of Scotland, an office which he held till the end of the reign; being at the same time commissioned to treat with the Scots on the affairs of that country.[4]

Called from Scotland at the accession of Edward II., he was constituted chancellor of the Exchequer on August 7, 1307[5], and at the end of the year was one of those directed to instruct the sheriffs of London and Middlesex in arresting

[1] Godwin de Præsul. 433; Angl. Sac. i. 412. 802.; Le Neve, 210.; Rot. Parl. i. 250. 443.; Parl. Writs, ii. P. ii. 1284.; Blomefield's Norwich, i. 497.

[2] Rot. Parl. i. 474. [3] Devon's Issue Roll, 116.

[4] Rot. Parl. i. 159. 204. 211. 266. 465. 473.; Abbrev. Rot. Orig. i. 154.

[5] Rot. Pat. 1 Edw. II., p. 1. m. 19.

the Knights Templars.[1] On May 14, 1308, we find him acting as *locum tenens* for Walter Reginald, Bishop of Worcester, the treasurer; and continuing to do so till that prelate became chancellor, on July 6, 1310, 3 Edward I., when the office of treasurer was placed in Sandale's hands. There it remained until March 14, 1312, when he was succeeded by Walter de Langton, Bishop of Lichfield and Coventry, whose *locum tenens* he was named in the following October. He occupied this station till he was appointed chancellor, on September 26, 1314, 8 Edward II., as on that day he was commanded to give up all things appertaining to the treasurership to Walter de Norwich, then raised to that office.[2]

The Great Seal was on the same day delivered to him at York, after the resignation of Walter Reginald[3], who had been translated from the bishoprick of Worcester to the archbishoprick of Canterbury; and he held it till June 9, 1318, 11 Edward II.[4]

Sandale, as most of the other clerks of the Exchequer, was an ecclesiastic, and one of the king's chaplains. On January 10, 1310, he had been made treasurer of Lichfield, was a canon of York, and is inserted in Le Neve's catalogue of the Deans of London. It seems, however, doubtful whether he ever held the latter dignity. During his chancellorship the bishoprick of Winchester became vacant, and he was elected to that see in August, 1316; but presided over it for little more than three years.[5]

Soon after his resignation of the Great Seal, to the custody of which John de Hotham, Bishop of Ely, succeeded, he was restored to his office of treasurer, which was committed to him on November 16, 1318, 12 Edward II.[6] He held it

[1] Rot. Claus. 1 Edw. II., m. 13.
[2] Madox's Exch. i. 75. 314. 380., ii. 8. 30. 38, 39. 50. 279. 290. 325.
[3] Rot. Claus. 8 Edw. II., m. 32.
[4] Ibid. 11 Edw. II., m. 3.
[5] Le Neve, 130. 183. 286.
[6] Madox's Exch. ii. 39.

during the remainder of his life, which terminated in less than a year afterwards. He died on November 2, 1319, at Southwark, and was buried in St. Margaret's Church there.[1]

His life seems to have been employed in a routine of official duties, of which no further interruption is noticed than a pilgrimage he made to the shrine of St. Thomas of Canterbury, a few months before he resigned the Seal.[2] Previous to his elevation to the bishoprick, his London residence, as chancellor, was in Aldgate.[3] He was one of the executors of Henry de Lacy, Earl of Lincoln, of whose property the king in his necessities borrowed 4100 marks, and granted the issues of the customs on wool in Kingston-upon-Hull towards the repayment. From Edward I. Sandale received the manor of Berghby in Lincolnshire, and from Edward II. a house in the suburbs of Lincoln belonging to a religious society then dissolved.[4] It is probable, therefore, that his family was settled in that county, although from its name it no doubt had its origin in Yorkshire, in which, at his death, he had property in the manor of Whetlay, near Doncaster.[5]

## SAY, GEOFFREY DE.

? JUST. K. B. 1322.

THE reasons previously given for omitting the name of William de Dyve from the list of justices of the King's Bench, although introduced into Dugdale's Chronica Series, apply equally to that of Geoffrey de Say; with the addition that, the latter being a distinguished member of an ancient and noble family, the absence of any proof that he was seated in that court increases the presumption that he was not so.

Geoffrey de Say was descended from Picot de Say, a Shropshire baron in the reign of the Conqueror. His father,

[1] Godwin de Præsul. 223.; Angl. Sac. i. 316.
[2] Rot. Claus. 11 Edw. II., m. 11.
[3] Ibid. 8 Edw. II., m. 4.
[4] Abbrev. Rot. Orig. i. 165. 195. 197.
[5] Cal. Inquis. p. m., i. 292.

William, who had large possessions in Kent, besides some in other counties, died in 23 Edward I., 1295, leaving him an infant of fourteen years of age. He and his wife Idonea, the daughter of William de Leybourne, attended the coronation of Edward II., in 1308, as from the county of Kent; and he was first summoned to parliament as a baron in the seventh year of that reign, July 26, 1313. He was frequently called upon to perform military services, but was never, as far as appears from the records, employed judicially. It is extremely probable, however, that among the numerous commissions issued for the trial of the adherents of Thomas de Badlesmere, there should have been one for his county of Kent, and that he, as a baron of that county, should have been named in it, and thus be entitled to the description of justiciarius regis, which Gervas of Canterbury gives to him, and by which every person so employed would be then designated during the continuance of the commission.

He died in 15 Edward II., 1321–2, the very year named by Dugdale as that of his judicial appointment; leaving a son, also Geoffrey, only seventeen years old, who succeeded him; but his male descendants failed in 1382, and the barony is said to be in abeyance among the representatives of Idonea and Joane, the two aunts of the last baron. In 1447, however, the grandson of Sir William Fiennes, who had married the said Joane, was summoned to parliament with the title of Lord Say and Sele, to which was added that of viscount in 1624. The viscounty became extinct for want of male heirs in 1781; but the barony still survived, and was carried through females into the family of Twistleton.[1]

[1] Leland's Collect. i. P. ii. 275.; Dugdale's Baron. i. 511.; Parl. Writs, ii. P. ii. 1402.; Nicolas's Synopsis.

## SCOTRE, ROGER DE.

B. E. 1310.

ROGER DE SCOTRE was possessed of Coringham and several other manors in Lincolnshire. In 1309, 3 Edward II., he and Edmund Passelegh were appointed to transact the king's business of pleas; and were directed to appear at the Exchequer on Michaelmas-day, to do as the king and his council should order. The body of the writ does not mention the word "Serjeant;" but the marginal title is "D Siantz assignez as pletz le Roy;" and he is accordingly inserted in Dugdale's and Wynne's lists of serjeants. On July 17, 1310, 4 Edward II., he was constituted a baron of the Exchequer in the room of Thomas de Cantebrig; and in the same year was the first named of three justices of assize for six counties, of which Lincoln was one. His tenure of office was very short; for he died between September 12, 1311, the date of his last parliamentary summons, and March 3, 1312, when his successor, Walter de Norwich, received his patent.

He left a wife, called both Agnes and Elizabeth, who died in 10 Edward II.; and an only daughter, named Elizabeth, who died a minor in 7 Edward II.[1]

## SCROPE, GEOFFREY LE.

JUST. C. P. 1323. CH. K. B. 1324.

*See* under the Reign of Edward III.

## SCROPE, HENRY LE.

JUST. C. P. 1308. CH. K. B. 1317.

*See* under the Reign of Edward III.

[1] Parl. Writs, ii. 1408.; Dugdale; Abbrev. Rot. Orig. i. 187. 202. 205.; Cal. Inquis. p. m., i. 247. 259. 280.

## SPIGURNEL, HENRY.

Just. K. B. 1307.

*See* under the Reign of Edward I.

SPIGURNEL was the name given to the officer who sealed the writs in Chancery; and was by degrees adopted as the surname of the family, by which the duty continued, probably during many successions, to be executed. The first who is mentioned is Godfrey Spigurnel, who, in a grant in 9 John of five bovates of land and a mill, in Skeggeby in Nottinghamshire, is styled "serviens noster de capellâ nostrâ."[1] He had a grant of three "oboli" a day out of the ferm of the town of Hertford, and is last mentioned in 11 Henry III.[2] Nicholas Spigurnel was probably his son, and seems to have performed the same duties, and to have been sheriff of Essex and Hertfordshire in 49 Henry III., the year before his death. He was succeeded by Edmund[3], who died in 24 Edward I., leaving a son John, who, and whose son Edmund, died in possession of Skeggeby, and of Stanton, in Essex, the former in 2 Edward II., and the latter in 8 Edward II.[4]

I am inclined to believe that Henry Spigurnel was a younger brother of John. He possessed lands in Northamptonshire above 20*l.* a year; and was summoned in respect thereof to perform military service in 25 Edward I., 1297. In the same year his name is among the justices and members of the council summoned to parliament[5]; and he appears to have acted in a judicial character in the previous year.[6] Dugdale, in the reign of Edward I., notices him only as a justice itinerant, commencing with the thirtieth year; but there is no doubt that he was at that time a judge of the

[1] Rot. Chart. 169.
[2] Rot. Claus. i. 356., ii. 182.
[3] Fuller's Worthies; Excerpt. e Rot. Fin. ii. 443.
[4] Cal. Inquis. p. m., i. 127. 231. 256.
[5] Parl. Writs, i. 52. 289.
[6] Abbrev. Rot. Orig. i. 97.

King's Bench. In Hilary, 29 Edward I., 1301, he and William de Ormesby are recorded as holding "locum Regis" at Lincoln, "in absencia R. de Brabanzon;" and in Easter of the same year on the Roll of Pleas "coram domino rege" at Worcester, these two and Gilbert de Roubury are mentioned as holding the court in the absence of the chief justice[1]: and further, in the writ directing him to take the oaths on the accession of Edward II., his previous seat in the court is referred to.[2]

From his first appointment, till 19 Edward II., he seems to have been most active in the performance of his duties, and to have been employed as one entrusted with affairs of confidence. In 4 Edward II. he was one of the king's nuncios to the council, and was sent to Rome on a special mission; and in the seventh year he was summoned to undertake, with the Bishop of Worcester and three others, an embassy beyond the seas. Although returned by the sheriff of Bedford, in 17 Edward II., as a knight beyond sixty years of age, and unfit for service, we find him acting in the following year as a justice itinerant in the islands of Jersey and Guernsey. His last recorded appearance as a judge is in the parliament of November, 1325, 19 Edward II.; but his death did not occur till three years afterwards.

The only account of his character is in the political song before referred to, in which, when spoken of as a justice of Trailbaston in 33 Edward I., he is described as "gent de cruelté;" but too much reliance must not be placed on so suspicious an authority.

He lived at Kenilworth; and, according to his own return in 1316, was lord or joint-lord of various townships in the counties of Bedford, Buckingham, Oxford, and Northampton. He had also property in Essex and Leicestershire. By his

[1] Abbrev. Placit. 242. 295.

[2] Parl. Writs, ii. Part II. 3.

wife Sarah he had issue. John, who was knight of the shire for Bedford in 1 Edward II., was probably his eldest son, and died before his father. Thomas, who represented the same county in 14 Edward II., was certainly the son of the judge, and was living in 1366.

In 1335 King Edward III. granted one third of the manor of Tottenham in Middlesex to Richard Spigurnel, for his faithful services to his father and grandfather in Chancery; and Lord Coleraine, in his history of that town, asserts that this Richard was Henry the judge, and that Dugdale had mistaken the Christian name. It is scarcely necessary to say that his lordship is wrong and Dugdale right. There was a Richard in the family, who, in 18 John, left a son who was placed under the wardship of Godfrey Spigurnel. The Richard in question, who no doubt executed the original office in Chancery from which the family was named, was perhaps a descendant from him.[1]

## STAUNTON, HERVEY DE.

Just. C. P. 1307. B. E. 1314. Ch. K. B. 1323. Ch. C. P. 1326.

*See* under the Reign of Edward I.

Hervey de Staunton, who by an easy mistake is sometimes called Henry de Staunton, was of a Nottinghamshire family of large possessions and ancient lineage, which is still flourishing at Staunton Hall in that county. The line began with Malgerus in the time of the Conquest, and proceeded through Geoffrey de Staunton his son, whose grandson, Sir William, was the father of two sons, Sir Geoffrey de Staunton, and the subject of this notice. Their mother

[1] Parl. Writs, i. 864., ii. 1448. 1459.; Rot. Parl. i. 157—449.; Wright's Political Songs, 233.; Nicholls's Leicester, 336.; History of Tottenham, by Oldfield and Dyson (1790), pp. 39. 41.; Rot. Claus. i. 286.; Abbrev. Placit. 319. 329.; N. Fœdera, ii. 128.

was Athelina, daughter and co-heir of John de Musters, Lord of Bosingham, in Lincolnshire.[1]

No memorials remain of his studies; but it is evident that he was an ecclesiastic as well as a lawyer. On one occasion he is called "Clericus," and on another is described as prebendary of Hustwhait, in the cathedral of York.[2] As a lawyer he is first mentioned in 30 Edward I., 1302, among the justices itinerant into Cornwall; and in the next year as holding the same character in Durham; on both occasions taking a low position on the list.[3] In the parliament held at Westminster in September, 1305, 33 Edward I., he was one of those appointed to receive and answer the petitions from Ireland and the isle of Guernsey[4], and on April 20, 1306, he was called to the bench as a judge of the Common Pleas. While performing the duties of that office, the proofs of which appear by the fines levied before him[5], he acted in the following year (being the last of the reign of that king) as one of the justices assigned to take assizes in ten different counties.

On the accession of Edward II. he was re-appointed in the same court, and though his name does not occur in the Year Book after the sixth year of the reign, he continued to perform the duties of the office till September 28, 1314, 8 Edward II., when he exchanged his seat in the Common Pleas for that of a baron of the Exchequer. On June 22, 1316, he became chancellor of the Exchequer; but seems, however, to have been still employed in a judicial character on various commissions, and to have been regularly summoned to parliament with the other judges.[6]

In 1323, 17 Edward II., Hervey de Staunton was raised

[1] Thoroton's Notts. i. 305.; Burke's Landed Gentry.
[2] Abbrev. Placit. 259. 335.
[3] Dugdale's Chron. Series.
[4] Rot. Parl. i. 159.
[5] Dugdale's Orig. 44.
[6] Parl. Writs, ii. 1457.

to the office of chief justice of the King's Bench. Dugdale quotes a close roll commanding him not to quit the office of chancellor of the Exchequer, but cause it to be executed by some other fit person at such times as he should be necessitated to attend the hearing of causes; and Madox gives a writ, dated September 17 or 27 in that year, by which the seal of the Exchequer was temporarily committed to the custody of the treasurer.[1] Staunton retained the chief justiceship of the King's Bench for a very few months, being superseded, on the 21st of March following, by Geoffrey le Scrope; but he was five days afterwards re-appointed chancellor of the Exchequer. On July 18, 1326, 20 Edward II., he was constituted chief justice of the Common Pleas, and gave up the seals of the Exchequer to Robert de Ayleston, his successor.[2]

Dugdale cites the same patent as appointing him not only chief justice of the Common Pleas, but chief baron of the Exchequer also. This is a manifest blunder, as the patent is wholly silent on the subject.

Half a year after this the king was deposed, and Hervey de Staunton died about the same time; William de Herle being immediately made chief justice in his place.[3] He was buried in St. Michael's Church, Cambridge, where he founded the House of that name, and endowed it with the manor of Barenton and the advowson of the church there.[4]

A miserable rhyming pedigree of the family by one Robert Cade may be seen in Thoroton's Nottinghamshire, vol. i. p. 305.: but as the account it gives of the judge has neither authority nor beauty to recommend it, it is unnecessary to insert it here.

[1] Dugdale's Orig. 38.; Madox's Exch. ii. 53. e.
[2] Rot. Pat. 20 Edw. II., m. 27. 29.; Parl. Writs, ii. P. ii. 1458.
[3] Abbrev. Rot. Orig. ii. 10. [4] Holinshed, ii. 574.; Cal. Rot. Pat. 98.

## STONORE, JOHN DE.

JUST. C. P. 1320. ? JUST. K. B. 1323. JUST. C. P. 1324.

*See* under the Reign of Edward III.

## THORPE, JOHN DE.

JUST. ITIN. 1307.

*See* under the Reign of Edward I.

JOHN DE THORPE was the son of Robert de Thorpe and Maud his wife, of a considerable family, possessing Rolands, Combes, Uphall, and other manors in Norfolk and Suffolk. He was returned as knight of the shire for Norfolk in 33 Edward I., and acted in the same year as assessor and collector of the aid to the king in that county.[1] In 35 Edward I., 1307, he held the second place among the justices of Trailbaston, then appointed for those two counties.[2] In the character of a justice he attended the first parliament of Edward II.; and though in the following years he was summoned as a baron, it is evident that he continued to act as a judge during the remainder of his life. He "and his companions" are mentioned as justices in Norfolk in 8 Edward II.; and various judicial duties were assigned to him up to the seventeenth year.[3] In 13 Edward II. he was made sheriff of the county.[4]

He married Alice Mortimer; and at his death, on May 16, 1324, 17 Edw. II., his son Robert succeeded him, but does not appear to have been summoned as a baron. Some of his manors remained till 1522 in the hands of his descendants.

He affords another instance of irregularity in the writs; having been summoned to parliament for nearly two years after his death.[5]

[1] Parl. Writs, i. 863.
[2] Rot. Parl. i. 218. 301.
[3] Parl. Writs, ii. 1503–5.
[4] Abbrev. Rot. Orig. i. 252.
[5] Ibid. i. 278.; Cal. Inquis. p. m., i. 310.; Rot. Parl. i. 169. 419, 420.; Blomefield's Norfolk, i. 137. 611., &c.; Parl. Writs, ii. 1504.

## TOUTHEBY, GILBERT DE.

JUST. ITIN. 1318.

*See* under the Reign of Edward III.

## TRIKINGHAM, LAMBERT DE.

JUST. C. P. 1307. JUST. K. B. 1316. B. E. 1320.

*See* under the Reigns of Edward I. and Edward III.

## TRUSSEL, WILLIAM.

? JUST. 1326.

HISTORIANS usually describe William Trussel as a justiciary; but he certainly was not a judge of either of the courts of Westminster, nor a regular justice of assize. His judicial functions seem to have been confined to the special trials with which his name is connected. He was apparently descended from the William Trussel who has been already mentioned as a justicier in the reign of Henry III.; and was second son of William Trussel, of Cublesdone (Kibblesdone), in Staffordshire (a manor which came to the family by marriage, from Roesia, the daughter and heir of William Pantolf), and of other manors in Northamptonshire, by Maud, daughter and heir of Warin de Manwarin. His father, who was knight of the shire for Leicester, where he also had property, in the parliament of 8 Edward II., died in the eleventh year of that reign. His elder brother, John, was called Trussel of Thorpe Malsor, one of his father's manors in Northamptonshire, and he himself was generally styled of Cublesdone. His mother afterwards married Oliver de Burdeux.[1]

After his father's death he was returned member for the county of Northampton in 12 Edward II., and is named among the knights of that county, and the county of Stafford, in the seventeenth year, 1224. In the interim he had been in

[1] Cal. Rot. Pat. 96.

arms against the government, and was with the Earl of Lancaster in the defeat at Boroughbridge. He was there taken prisoner, and appears to have been in custody on July 20, 1322; but a writ for his pursuit and capture on August 2 proves that he had made his escape. In the next year he was at the head of those who ravaged the estates of the Despencers.[1] Joining the queen in France, he accompanied her on her landing in England in September, 1326, and was present at the fall of Bristol and the seizure of the elder Despencer. Some writers say, that the aged earl was executed without hearing or trial; while others state, that he was accused before Sir William de Trussel; but there are no remains of any regular proceedings against him. The younger Despencer, on his capture, was arraigned before Trussel in an equally informal manner; his speech, in pronouncing the horrible sentence, seeming to have been the only indictment. That speech recapitulated all the popular charges against the prisoner and his father; and, after minutely particularising the punishment awarded, concluded by dismissing the fallen favourite with coarse vituperation. Trussel is neither before nor after described as a judge; and the actor in so summary a process, which has the appearance of martial law, is scarcely entitled to be so designated.

Although there is no record that Trussel was returned as a knight, or burgess, to the parliament that assembled at Westminster on January 7, 1327, there is no doubt that he was present in some character, as he was appointed procurator for the whole parliament, and deputed to proceed, with certain prelates and peers, to Kenilworth Castle, where the king was confined, and to pronounce the renunciation of their homage and fealty to him.

This formality completed, Edward III. was proclaimed; and Trussel received the reward of his devotion by being

[1] Parl. Writs, ii. P. ii. 1528.

immediately constituted the king's escheator south of Trent. He was, however, removed from this office in the following year, having made himself an enemy in Roger de Mortimer, the queen's favourite, on whose death he was reinstated in the fourth year.[1] In 7 Edward III. some change took place in the office, and he had a grant of certain lands in the isle of Anglesey, of which he was soon after made sheriff, and constable of the Castle of Beaumaris. From the ninth to the fourteenth year we find him again king's escheator, sometimes on one and sometimes on the other side of the Trent.[2]

After this time it is difficult to trace distinctly whether the entries apply to his son William, or to him; but it seems most probable that it was the son who was the admiral of the fleet in 13 and 16 Edward III., and who is stated by Dugdale to have been summoned as a baron to parliament in the latter year.[3] If so, however, it is difficult to understand how "Monsr. William Trussel" answers as the representative of the Commons—that is to say, their speaker—in the parliament held at Westminster in May, 17 Edw. III.[4]; but the question is of little importance, because it is allowed that neither he nor his posterity were ever afterwards summoned as a baron.

## WALEDENE, HUMFREY DE.

B. E. 1324.

*See* under the Reign of Edward I.

THERE are several proofs that Humfrey de Waledene was an officer in the Exchequer long before he became a baron of that court. In 19 Edward I. the manor of Horsington was committed to him, during the minority of the heir, at a rent of 50*l.* a year.[5] In 28 Edward I. he was appointed to

[1] Abbrev. Rot. Orig. ii. 4—11. 42—71.
[2] Ibid. 78. 82. 103—136.
[3] Dugdale's Baron. ii. 143.
[4] Rot. Parl. ii. 136.
[5] Abbrev. Rot. Orig. i. 66.

perambulate the forests of Somerset, Dorset, and Devon.[1] In 30 Edward I. the bishoprick of Worcester was committed to him during its vacancy; and four years afterwards the archbishoprick of Canterbury.[2] He held the latter only from June 8, 1306, till March 26, 1307, when a papal nominee was substituted for him.[3]

His appointment as a baron of the Exchequer took place on October 19, 1306, 34 Edward I.; but he only retained his office till the following July, when the reign terminated.[4]

Although he was not one of the barons sworn in on the accession of Edward II., there is nothing to show that he was disgraced. On the contrary, he is found among the justices of oyer and terminer, in the fourth and eighth years of that reign, for Essex and Hertford. In 13 Edward II. he had an extensive grant of the stewardship of various royal castles and manors in eleven counties—among which was the park of Windsor,—and of the auditorship of their accounts; a grant which was renewed four years afterwards to him and Richard de Ikene.[5] About the same time he is mentioned also as steward to the Earl of Hertford; and seems to have been appointed, at his desire, one of the justices to take an assize in which he was interested.[6]

He was restored to his place on the Exchequer bench on June 18, 1324, 17 Edward II.; but though he acted during the remainder of the reign[7], it does not appear that he sat as a baron under Edward III. He died in the fifth year of that king, leaving an infant heir, during whose minority his lands in Stanford Rivers, in Essex, and his manor of Lavar Magdalen, in the same county, were placed under the custody of John de Cantebrig, at a rent of 20*l.* His son, of the same

[1] Parl. Writs, i. 398.
[2] Abbrev. Rot. Orig. i. 119. 150.
[3] Madox's Exch. ii. 224.
[4] Ibid. ii. 46. 49. 57. 325.
[5] Abbrev. Rot. Orig. i. 252. 276.
[6] Rot. Parl. i. 398.
[7] Parl. Writs, ii. Part ii. 1567.

name, was escheator of that county and Hertford, in the twenty-third year of Edward III.[1]

## WALSINGHAM, RICHARD DE.

Just. Itin. 1307.

*See* under the Reign of Edward I.

Richard de Walsingham was a knight residing in Norfolk, his family being so called from the town of that name. He was returned for the county to the parliaments of 28, 29, and 33 Edward I.; and it was probably on that account that he was placed in the latter year among the five justices of Trailbaston appointed for Norfolk and Suffolk[2], and was re-nominated in the new commissions of 1307.[3]

He was summoned among the justices to parliament in the first year of Edward II., and, during the remainder of his life, was occasionally employed in judicial business; being more than once commanded to cause the proceedings before him as a justice of assize or otherwise to be estreated into the Exchequer. He still continued to represent Norfolk in parliament up to 7 Edward II.; and is last mentioned in 12 Edward II. In the following year his executors were directed to bring in the proceedings before him.[4]

His wife, whose name was Anastasia, was buried in the Black Friars at Thetford.[5]

## WARLEE, INGELARD DE.

? Keeper, 1310. B. E. 1316.

Ingelard de Warlee was of the clerical profession, and was procurator for the Archdeacon of Worcester in the parliament of 35 Edward I.[6] Mr. Hardy has introduced him

[1] Abbrev. Rot. Orig. 50. 52. 201. 203.; Cal. Inquis. p. m., ii. 37.
[2] Parl. Writs, i. 892.
[3] Rot. Parl. i. 218.
[4] Parl. Writs, ii. 1574. Rot. Parl. i 190. 344.
[5] Weever, 828.

as keeper of the Great Seal on May 11, 1310, 3 Edward II., because on the resignation of the chancellor, John de Langton, Bishop of Chichester, on that day, the king delivered it to him to be kept in the wardrobe.[1] He was then keeper of that department, in which, during any vacancy, the Seal was ordinarily deposited merely for safe custody. It so remained, on this occasion, only till the next day, when it was delivered to certain clerks of the Chancery, to perform the duties; and afterwards re-deposited there. Ingelard de Warlee continued keeper of the wardrobe till the eighth year of that reign. In 10 Edward II., on December 29, 1316, he was appointed a baron of the Exchequer, in the place of Hervey de Staunton, who was raised to the chancellorship of that court; and he so continued till his death, which occurred in June, 1318, 11 Edward II., soon after which Robert de Wodehouse was put in his place.[2] There is an entry in the wardrobe accounts, that "two pieces of Lucca cloth" were laid upon his body, buried in the church of St. Martin's-le-Grand.[3]

## WELLEFORD, GEOFFREY DE.

? KEEPER, 1310.

GEOFFREY DE WELLEFORD is mentioned as a clerk of the Chancery in 35 Edward I.[4] The only reason for the introduction of his name in this catalogue is, that under the chancellorship of Walter Reginald, Bishop of Worcester, when that prelate went to the king at Berwick, on Dec. 12, 1310, 4 Edward II., the Great Seal was committed to Adam de Osgodby, the keeper of the Rolls, to be kept under the seals of Robert de Bardelby and Geoffrey de Welleford. They retained it till the chancellor's return a week after-

[1] Hardy's Catal.
[2] Parl. Writs, i. 1582.
[3] Archæologia, xxvi. 340.
[4] Parl. Writs, i. 191.

wards.[1] He appears again, under the same circumstances, on December 1, 1319, 13 Edward II., when the Seal was placed in the custody of Robert de Bardelby, to be kept under the seals of Master Henry de Cliff, Geoffrey de Welleford, and William de Cliff, until the return of the chancellor, John de Hotham, Bishop of Ely, from Newcastle to York, where they accordingly sealed the writs.[2] The last record of his acting as a clerk of the Chancery is on May 20, 1321, when he was present at the delivery of the Seal.[3]

Of his private history, little that is certain remains; and it is doubtful whether he was connected with the family of Ralph de Welleford, who has been noticed as a justicier in the reigns of Richard and John. In the last year of the latter king, there is a plea relative to the church of Norton in Leicestershire, in which the names of Geoffrey and Reginald, the sons of Walter de Welleford, occur[4]: but of this Geoffrey I can discover no more than that he had a grant, in 6 Edward II., of a messuage in the parish of St. Dunstan's, near the New Temple, at an annual rent of forty shillings.[5]

WELLS, TREASURER OF. *See* J. DE LANGTON.

## WESTCOTE, JOHN DE.

JUST. ITIN. 1310.

JOHN DE WESTCOTE appears to have been located in Sussex, where he had property in the township of Leominster, and obtained a license that the Abbot of Battle might grant him the manor of Anstigh for the term of his life. He was an advocate in the courts, and his name occurs in the Year Books in the early part of the reign of

[1] Rot. Claus. 4 Edw. II., m. 17.
[2] Ibid. 13 Edw. II., m. 13.
[3] Ibid. 14 Edw. II., m. 7.
[4] Abbrev. Placit. 92.
[5] Abbrev. Rot. Orig. i. 193.

Edward II. In the fourth year he was not only one of the three justices of assize appointed for Essex and Hertford, and the four neighbouring counties, but was also in a commission in Hampshire and Wiltshire. He is not named in any judicial employment later than 8 Edward II.; and his death occurred between that date and June in the thirteenth year, when his executors were commanded to bring all proceedings before him into the Exchequer.[1]

WINCHESTER, Bishop of. *See* J. de Sandale.

WODEHOUSE, ROBERT DE, Archdeacon of Richmond.

B. E. 1318.

*See* under the Reign of Edward III.

WORCESTER, Bishop of. *See* W. Reginald.

YORK, Archbishop of. *See* W. de Melton.

[1] Abbrev. Rot. Orig. i. 198.; Dugdale; Parl. Writs, ii. P. ii. 1601.; Parl. i. 300.

# EDWARD III.

Reigned 50 years, 4 months, and 27 days; from January 25, 1327, to June 21, 1377.

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## SURVEY OF THE REIGN.

When Edward III. assumed the title of King of France, he added the year of his nominal reign over that country to that of his reign in England. His claim to the French crown was not urged, nor the new style adopted, till the beginning of the fourteenth year, January 25, 1340; from which period, for more than twenty years, all public documents have a double date, the fourteenth year of England being called the first of France; and so on till the treaty of Bretigny, when he formally renounced his title on May 8, 1360, in the thirty-fourth year. In little more than nine years, however, he resumed the title; and from June 11, 1369, 43 Edward III., he again introduced the second date, as if it had not been interrupted; and so continued the practice till the last year of his reign, which was designated the fifty-first of England and thirty-eighth of France.[1]

Edward's assumption of the title of King of France, his renunciation of it, its subsequent revival, and his frequent absences from the kingdom in support of his claim to that crown, occasioned several changes in the armorial bearings

[1] Nicolas's Chronology of History, p. 297.

and inscriptions engraven on the Great Seal, the designs of which gradually increased in richness and beauty.[1]

1. The Seal used for the first nine months after the king's accession was that of his grandfather, Edward I., which originally represented that monarch sitting on his throne, the back and sides of which were ornamented with pinnacles and arcade work. To these Edward II. had added two castles at the sides of the throne; and Edward III. merely introduced, on the same Seal, an engraving of two flowers of the arms of France, as a distinguishing mark.[2] The other side of the Seal had an impression of the king, in full armour, on horseback.

2. This first Seal was broken "in minutas pecias" on October 5, 1327, and the chancellor gave these pieces to his sealer. A new Seal was then adopted, which, in the proclamation announcing its introduction and conveying its impression to the sheriffs of all the counties in England, is described as differing from the other, as well in its circumference as in its design on both sides.[3] The alteration on the reverse consisted of a different form of chair, or throne, and the substitution of two large fleurs-de-lis on the sides, instead of the castles; on the obverse, by a new style of armour, and a more graceful drapery for the horse. A payment of 5*l.* to a goldsmith on June 2, 1332[4], for making this seal, leads to no conclusion as to its cost, as it not improbably was a balance or instalment of the account.

3. In 1335, one of the chamberlains of the Exchequer was paid for going "from York to London, to order a certain Great Seal, for the rule of the realm of England, to be newly made."[5] This new Seal, however, was not brought into use till July 10, 1338, 12 Edward III.; when, the king being

[1] In this account I have been greatly assisted by an article in the Archæological Journal, vol. ii. p. 14., written by Professor Willis with his usual accuracy and perspicuity.

[2] N. Fœdera, ii. 683.

[3] Ibid. 718.

[4] Issue Roll, 6 Edw. III., 142.

[5] Ibid. 9 Edw. III., 145.

about to leave the kingdom, in prosecution of his claim to the throne of France, sent an impression of it to all the public authorities, stating that he should take the Great Seal with him, and had provided this to be used in his absence. The variation consists in the reduction of the height of the chair, and the substitution of three lions on each side for the fleur-de-lis.[1]

4. A fourth Seal became necessary, by the king's formal assumption of the title of King of France. This did not occur till the commencement of his fourteenth year, January 25, 1340, although he had occasionally adopted the style from October 7, 1337. The first use of this new Seal was its being appended to his proclamation against his rival, Philip de Valois, dated at Gaunt, February 8, 1340. On his return to England on the 21st of that month, his proclamation of its introduction was, as usual, accompanied by impressions to be exhibited to the people.[2]

This Seal, which the king had brought with him from foreign parts, and which was, no doubt, of foreign workmanship, is represented as coarse and ill-engraved, in which the throne is flanked by two towers, and has a clumsy canopy, with a shield of the arms of France and England quarterly, hanging on each side; the title "Rex Francie et Anglie" appears on the legend; and the area is diapered with fleurs-de-lis. The record of its destruction, occasioned, no doubt, by its unfinished and inartistic execution, is dated on June 20, 1340[3]; so that its existence was not of half a year's duration. No notice is taken of the appropriation of the pieces.

5. The next Seal was brought into use on the day of the destruction of the last; and as the king was then going abroad,

[1] In the engravings to the new edition of Rymer, this seal is made to precede the former in date; but Professor Willis has clearly proved the contrary to be the proper arrangement.

[2] N. Fœdera, ii. 1109. 1115.

[3] Ibid. ii. 1129.

it was a seal for the rule of the kingdom during his absence, in substitution of the third-mentioned Seal, the fate of which is not recorded. It is somewhat curious that no engraving or specimen of this Seal has yet been discovered: its design is therefore unknown, except that in the legend the title runs "Rex Anglie et Francie."

6. On the king's angry return to England from Tournay on November 30, 1340, he took away the last-mentioned Seal from the chancellor, and gave to William de Kildesby another Great Seal, which he had brought with him from foreign parts, and ordered that it should be thenceforth used in his kingdom of England.[1]

Its design is the king on a throne, with a rich triple canopy over his head, and seven compartments of tracery panelling behind, lions on each side, and a shield, quartering France and England, suspended under a pointed arch. The title in the legend is "Rex Francie et Anglie et Dominus Hibernie." It is the first Great Seal in which tabernacle work is introduced, and exceeds its predecessors in richness of effect.

This Great Seal was the substitute for the fourth which was destroyed, and was to be used when the king was within the realm, while the fifth was employed during his absence. This change took place whenever the king went abroad, and these two Seals continued to be used till the peace of Bretigny, May 8, 1360, 34 Edward III.

7. Soon afterwards, a new Seal was made in accordance with that peace[2], and was the richest and handsomest of them all. Tabernacle work divides it into three large, and four narrow, compartments alternately. In the centre is the king on the throne, with lions seated on each side; St. George and the Virgin Mary in the two narrow compartments near him; shields, quartering France and England, are suspended in the

[1] N. Fœdera, ii. 1141.

[2] Ibid. iii. 868.

two next large compartments; and two warriors stand in the small ones outside. The style is "Rex Anglie, Dominus Hibernie et Aquitannie." It will be observed that, though he dropped the title of king, he still continued to use the arms of France.

This Seal continued in use till June 11, 1369, when, the treaty of Bretigny being set aside, the king resumed the title of King of France. On that day this seventh Seal was returned to the Treasury, and the fifth and sixth Seals were again brought forward and used[1]; but in the latter years of the reign this seventh Seal, the legend being altered to "Rex Francie et Anglie et Dominus Hibernie," was again called into operation, and it became the regular Great Seal not only of Edward III., but of four of his successors, with the mere substitution of their names for his.[2]

It is scarcely necessary to apprise the reader that all these seals were in two pieces, and that the double impression was taken upon wax placed between them. The chancellor received an annual allowance of wax for this purpose, which was supplied from the king's great wardrobe.[3]

Besides the Great Seal, and its representative while the king was abroad, there were also seals for each of the three courts of King's Bench, Common Pleas, and Exchequer, all in two pieces. The seal for the office of Privy Seal was in one piece only. New ones were delivered in the forty-third year, when Edward resumed the title of King of France.

During this long reign there were seventeen chancellors, one of whom held the office three times, and another twice. Their official career occupied a period of forty-nine years and a half; and in the remaining ten or eleven months the Great Seal was held by keepers between the death or resignation of one chancellor and the appointment of another. Of these

[1] N. Fœdera, iii. 868.
[2] Archæol. Journ. ii. 41.
[3] Archæologia, xxxi. 90.; Issue Roll, 44 Edw. III., 201.

intervals there were only four; the longest of which was four months and twenty days, and the shortest only nineteen days.

Twelve of the seventeen chancellors were ecclesiastics; four being or becoming archbishops, and eight bishops; one was a military knight; and the remaining four were educated as lawyers. These latter were forced upon the king by the parliament; but he on each occasion took an early opportunity of restoring the Seal to clerical hands. The longest period that any chancellor held the Seal was about eight years and a half, and the shortest about eight months. No less than four chancellors died in this reign while holding the office.

In every one of the above-mentioned intervals the keepers consisted of clerks of the Chancery, headed by the master of the Rolls. Other temporary keepers, selected from the same officers, were frequently appointed during the reign, when the chancellors were absent on their own or the king's affairs; but as these were mere deputies, and not independent keepers, they are excluded from the table of chancellors, but their names are noticed in the following detailed account of the succession of the office.

## Chancellors and Keepers.

On the king's accession the Great Seal was in the custody of William de Ayremynne, Bishop of Norwich, and Henry de Cliff, master of the Rolls; but three days afterwards, January 28, 1327, it was delivered to

John de Hotham, Bishop of Ely[1], who had held it for nineteen months in the previous reign. His continuance in the office of chancellor was for little more than a year; his retirement taking place on March 1, 1328.

Henry de Cliff and William de Herlaston, the former master of the Rolls, and the latter one of the clerks in

[1] Rot. Claus. 1 Edw. III., p. 1, m. 25.

Chancery, were then entrusted with the Seal as joint keepers; for though it was delivered to Cliff to be kept under the seal of Herlaston, and he was to entertain the clerks and other officers, and to be paid the accustomed fee, yet the record distinctly says that on the next day they both sealed[1]: and they are called "custodes magni sigilli" on May 12, when they replaced it in the king's hands.

Henry de Burghersh, Bishop of Lincoln, was on the same day appointed chancellor[2]; and remained in office till the king, breaking the shackles in which the queen and Mortimer had bound him, took upon himself the government of the kingdom, and reclaimed the Great Seal on Nov. 28, 1330.[3]

Burghersh was several times absent from court; viz. from July 1 to 30, 1328, when he went with the queen to Berwick; from August 17 to 26; from January 15 to 19, 1329; and from May 31 to June 11, 1329, being then abroad with the king. On all these occasions the Great Seal was deposited with Henry de Cliff and William de Herlaston, or one of them, in the same manner as before; and separate entries were made thereof on the Roll.[4]

John de Stratford, then Bishop of Winchester, received the Seal on the day of Burghersh's removal[5], and held the chancellorship till September 28, 1334, a period of nearly four years, being in the latter year raised to the archbishoprick of Canterbury.

During this his first chancellorship, John de Stratford was frequently sent abroad, and the Great Seal was, as usual, placed in the hands of other persons to act for him. These were his brother, Robert de Stratford, who is some-

[1] Rot. Claus. 2 Edw. III., m. 33.
[2] Ibid. m. 26.
[3] Ibid. 4 Edw. III., m. 16.
[4] Ibid. 2 Edw. III., m. 2. 17. 20.; 3 Edw. III., m. 19, 20.
[5] Ibid. 4 Edw. III., m. 16.

times called *locum tenens* of the chancellor; HENRY DE CLIFF, master of the Rolls; WILLIAM DE MELTON, Archbishop of York; and HENRY DE EPENSTOWE, THOMAS DE BAUMBURGH, and JOHN DE ST. PAUL, clerks in the Chancery.[1]

RICHARD DE BURY, or DE AUNGERVILLE, Bishop of Durham, was constituted chancellor on September 28, 1334, when John de Stratford resigned.[2] He held the Seal only till June 6, 1335, when

JOHN DE STRATFORD, Archbishop of Canterbury, was re-appointed [3], and remained in office for nearly two years.

ROBERT DE STRATFORD, then Archdeacon of Canterbury, who had acted frequently as *locum tenens* for his brother, the archbishop, was appointed his successor on March 24, 1337 [4], and became Bishop of Chichester in September following. He kept the Seal for about sixteen months.

The Rolls contain no entry of the disposal of the Seal during the occasional absences of the last three chancellors.

RICHARD DE BYNTEWORTH, Bishop of London, succeeded Robert de Stratford on July 6, 1338.[5] He died in possession of the Seal on the 7th of December in the following year.

During his short administration he appears to have been absent only thirteen days, for the purpose of being consecrated, viz., from July 6 to the 19th, during which John de St. Paul, master of the Rolls, and Thomas de Baumburgh acted for him.[6]

On Bynteworth's death the business of the Chancery was transacted by the above two and MICHAEL DE WATH, who

[1] Rot. Claus. 5 Edw. III., p. 1. m. 10., p. 2. m. 2.; 6 Edw. III., m. 3. 22. 30.; 7 Edw. III., p. 1. m. 3., p. 2. m. 4.; 8 Edw. III., m. 27.

[2] Ibid. 8 Edw. III., m. 10.

[3] Ibid. 9 Edw. III., m. 23.

[4] Ibid. 11 Edw. III., p. 1. m. 29.

[5] Ibid. 12 Edw. III., p. 2. m. 23.

[6] Ibid.

held the Seal from December 8, 1339[1], to February 16, 1340; when

JOHN DE ST. PAUL, the master of the Rolls, was appointed sole keeper of the Seal[2], which he retained till

JOHN DE STRATFORD, Archbishop of Canterbury, was placed in the office for the third time on April 28, 1340.[3] He resigned, on account of alleged infirmity, in less than two months.

ROBERT DE STRATFORD, his brother, then Bishop of Chichester, was thereupon restored on June 20; but being absent, the Seal, which was then newly made, was placed in the hands of John de St. Paul, the master of the Rolls, till the bishop's return to court on July 12.[4] His second chancellorship was abruptly terminated by the sudden arrival of the king from the siege of Tournay, and his angry dismissal on December 1 in the same year.[5]

SIR ROBERT BOURCHIER was then taken from his military occupations, and installed into the office of chancellor on December 14, 1340.[6] The parliament, however, soon became dissatisfied with the appointment; and the knight returned to his original profession within eleven months after receiving the Seal.

During this short interval he was twice absent; on the first occasion from December 16 to the end of the year, when the Seal was left with THOMAS DE EVESHAM, then, or a few days after, made master of the Rolls, and THOMAS DE BRAYTON and EDMUND DE GRYMESBY, clerks in the Chancery[7], and on the last occasion from February 14 to March 3, 1341, when the Seal remained in the custody of THOMAS DE PARDISHOWE, under the seals of Evesham and Brayton,

[1] Rot. Claus. 13 Edw. III., p. 3. m. 11.
[2] Ibid. 14 Edw. III., p. 1. m. 42.
[3] Ibid. p. 1. m. 27.
[4] Ibid. p. 1. m. 13.
[5] Ibid. p. 2. m. 12.
[6] Ibid. p. 2. m. 10.
[7] Ibid.

the two latter, however, performing the duties attached to its possession.

SIR ROBERT PARNING, then treasurer, but who had been chief justice of the King's Bench, was raised to the chancellorship on October 29, 1341 [1]; and died on August 26, 1343.

For a month after this event no chancellor was appointed; but the Great Seal remained in the possession of JOHN DE THORESBY, master of the Rolls, and the before-mentioned John de St. Paul and Thomas de Brayton, who jointly transacted the business.[2]

ROBERT DE SADINGTON, the chief baron of the Exchequer, received the Seal as chancellor on September 29, 1343.[3] He held it for little more than two years.

JOHN DE OFFORD, Dean of Lincoln, was made chancellor on Sadington's resignation, October 26, 1345 [4], and retained the office till his death on May 20, 1349, having, a few months previously, been elected Archbishop of Canterbury.

The duties of the Chancery were then executed by DAVID DE WOLLORE, the master of the Rolls, in conjunction with St. Paul and Brayton, and THOMAS DE COTYNGHAM, another clerk of the Chancery [5], until

JOHN DE THORESBY, who had been advanced to the bishoprick of St. David's, received the Seal as chancellor on June 16, 1349.[6] He became successively Bishop of Worcester and Archbishop of York, and then resigned the Seal, after having held it for above seven years.

Two absences only are recorded in his time; one from September 2 to October 8, 1351, when the Seal was committed to Wollore, Brayton, and Grymesby [7]; and the other from August 4, 1353, to a day not mentioned, Wollore,

[1] Rot. Claus. 15 Edw. III., p. 3. m. 22.
[2] Ibid. 17 Edw. III., p. 2. m. 24.
[3] Ibid. p. 2. m. 20.
[4] Ibid. 19 Edw. III., p. 2. m. 10.
[5] Ibid. 23 Edw. III., p. 1. m. 10.
[6] Ibid. p. 1. m. 8.
[7] Ibid. 25 Edw. III., m. 12.

Brayton, and ANDREW DE OFFORD, being then entrusted with the Seal.

WILLIAM DE EDINGTON, Bishop of Winchester, succeeded John de Thoresby on November 27, 1356[1], and performed the duties of the Chancery without any named substitute for about six years and three months, when he was allowed to resign.

SIMON LANGHAM, Bishop of Ely, was put in his place on February 19, 1363[2]; and he in like manner acted throughout the four years and a half of his chancellorship without a recorded deputy.

WILLIAM OF WYKEHAM'S appointment as his successor took place between the 10th and 17th of September, 1367, 41 Edward III.[3] After three years and a half, in consequence of the Commons objecting to the great offices of state being held by the clergy, King Edward was compelled to relinquish his services; and

SIR ROBERT DE THORPE, chief justice of the Common Pleas, was substituted for him on March 16, 1371.[4] He was the fourth chancellor of this reign who died in office, that event occurring on June 29, 1372.

At the commencement of his chancellorship, he had permission to visit his home, when WALTER POWER, WILLIAM DE BURSTALL, WILLIAM DE MIRFIELD, and NICHOLAS DE SPAIGNE, all clerks in the Chancery, were entrusted with the custody of the Seal during his absence, the length of which is not stated.[5]

SIR JOHN KNYVET, chief justice of the King's Bench, was promoted to the chancellorship on July 5, 1372[6], and remained in office, without any notice of a deputy, for four years and a half; when

[1] Rot. Claus. 30 Edw. III., m. 4.
[2] Ibid. 37 Edw. III., m. 39.
[3] Hardy's Catal. 40.
[4] Rot. Claus. 45 Edw. III., m. 35.
[5] Ibid.
[6] Ibid. 46 Edw. III., m. 20.

ADAM DE HOUGHTON, Bishop of St. David's, was made chancellor in his place on January 11, 1377[1], and so continued for the remaining five months of Edward's reign. On the king's death on June 21, he was abroad on a mission to the King of France, having deposited the Seal with WILLIAM DE BURSTALL, then master of the Rolls, RICHARD DE RAVENSER, and THOMAS DE NEWENHAM.[2]

The master of the Rolls was, as is shown in the preceding statement, in most cases one of the persons to whom the business of the Great Seal was entrusted either on the death or during the absence of the chancellor. Six out of the seven of these officers, who lived in the reign of Edward III., were employed in this duty, Michael de Wath being the only exception. They succeeded each other in the following order.

## MASTERS OF THE ROLLS.

HENRY DE CLIFF, who held the office at the end of the reign of Edward II., died in possession of it about January, 1334.

MICHAEL DE WATH succeeded him on January 20 in that year, 7 Edward III.[3]; and resigned on April 28, 1337.

JOHN DE ST. PAUL, one of the masters in Chancery, was appointed on that day[4], and retained the office till December 2, 1340, when, upon an apparently unfounded charge of mal-administration made by the king on his return from the siege of Tournay, he was dismissed.

THOMAS DE EVESHAM, the senior master in Chancery, received the appointment on January 10, 1341, 14 Edward III.[5]; but only retained it six weeks, when

[1] Rot. Claus. 50 Edw. III., p. 2. m. 27.
[2] Ibid. 51 Edw. III., m. 7.
[3] Ibid. 8 Edw. III., m. 36.
[4] Ibid. 11 Edw. III., p. 1. m. 13.
[5] Ibid. 14 Edw. III., p. 2. m. 9. & 10.

JOHN DE THORESBY was installed on February 21, 1341[1], and held the post till he was made keeper of the Privy Seal, between May 20 and July 26, 1345.

DAVID DE WOLLORE'S grant does not appear; but probably it was dated between the last two days, although he is not mentioned with the title till July 2, 1346.[2] He died in the office in 44 Edward III., 1370.

WILLIAM DE BURSTALL was his successor. Dugdale dates his nomination on March 28, 1371[3]; and he was still master of the Rolls at the death of the king on June 21, 1377.

Only one of these masters, John de Thoresby, was afterwards raised to the chancellorship, and that not till three or four years after his retirement. Three of them, Michael de Wath, John de St. Paul, and Thomas de Evesham, fell back, after filling the office, into their former places as clerks in the Chancery; and two only, Henry de Cliff and David de Wollore, retained their position till their deaths. Although the master of the Rolls was clearly a separate officer, nominated by the Crown, taking a special oath, and admitted with great solemnity, there is no doubt that he was still considered one of the clerks of the Chancery: and David de Wollore is described solely by that title twenty years after his appointment as master of the Rolls, though he still retained that office.

During the time of William de Burstall, the office of keeper of the House of Converts, Domus Conversorum, in Chancery Lane, was permanently annexed to the mastership of the Rolls; both, however, having been before occasionally held by the same individual.

This establishment was founded by Henry III. as an asylum for such Jews as embraced the Christian religion.

[1] Rot Claus. 15 Edw. III., p. 1. m. 34.
[2] N. Fœdera, iii. 85.
[3] Dugdale's Chron. Series.

The erection of the church must have been commenced just previous to 1232; for by a charter dated on January 16 in that year, 16 Henry III.[1], the king granted the liberal sum of seven hundred marks to be annually paid to the converts frequenting the church, for their support, and for the construction of their church and buildings; to be drawn out of the Exchequer half-yearly, until they were more largely provided for in lands and rents, and a certain place assigned to them, whereby they might be able to sustain themselves decently, to the honour of God and the Blessed Virgin, to whom the church was dedicated. The precise position of the church is pointed out in this and a subsequent record to be in the place called New-streete, between the Old and the New Temple in London. This street was soon afterwards named Chancellors' Lane; which was subsequently softened to its present denomination, Chancery Lane.

It is evident from this document that as yet there was no head of the establishment; the duty of communicating between the converts and the king being therein assigned to the chief justiciary, or the chancellor. Nor was there any such officer on the 19th of April in the following year, the date of the next charter.[2] The erection of the buildings had in the mean time proceeded, for, instead of its being called a church only, it is described as a HOUSE, which the king had caused to be founded "ad sustentationem fratrum conversorum et convertendorum de Judaismo ad fidem Catholicum." This is a grant of the houses and lands which belonged to John Herbeton (Herlicum, as the name is afterwards more correctly spelled) in London, and then in the king's hands as his escheat, except the garden in the said place called New-streete, which the king had previously given to his chancellor, Ralph de Neville, Bishop of Chichester[3]; and for their

[1] N. Fœdera, i. 201.
[2] Ibid. 208.
[3] See antè, vol. ii. p. 201.

further support the king assigned to them all the escheats in the city of London during his reign.

Females as well as males were allowed to be members of this community; as we learn from a mandate to admit William de Lincoln and Christiana de Oxonia, converts, dated August 11, 1233, and addressed to Stephen de Stranda and Josceus Fitz-Peter, in whose custody the congregation is there stated to be.[1]

These, then, it would appear, were the first keepers of the House, and held the office jointly; but a short time afterwards Josceus Fitz-Peter became sole keeper, custos domus,—a mandate to the escheators and sheriffs of London, dated April 19, 1235, directing them to give him, under that title, possession of John Herlicum's lands and houses in pursuance of the grant.[2]

On April 1, 1237, the king, having obtained the church of St. Dunstan, Fleet Street, from the abbot and convent of Westminster, bestowed it as a further endowment for this house; and on November 8, 1248, he granted to the "master and brothers" the houses, rents, lands, and tenements in London which had been forfeited by Constantine, son of Alufus, who had been hanged for felony.[3]

The keepers of this house were almost invariably ecclesiastics; and were in general removable at the king's pleasure, but sometimes were appointed for life. Robes were assigned to them out of the king's wardrobe. Master Walter, who subsequently became keeper, was chaplain at the foundation, and received thirty marks a-year for his support.[4] There were afterwards two, and sometimes three chaplains to the establishment.

[1] Rot. Claus. 17 Hen. III., m. 6.
[2] Ibid. 19 Hen. III., m. 13.
[3] Rot. Chart. 33 Hen. III., m. 7.
[4] Writs, Hil. 17 Hen. III.; Devon's Issue Roll, 515.

## KEEPERS OR MASTERS OF THE HOUSE OF CONVERTS, TILL IT WAS PERMANENTLY ANNEXED TO THE MASTERSHIP OF THE ROLLS.

1233. Aug. Stephen de Stranda, } joint keepers.—Claus. 17 Hen. III.
Josceus Fitz-Peter, } m. 6.

1235. April. Josceus Fitz-Peter.—Claus. 19 Hen. III. m. 13.

1240. Easter. Master Walter received ten marks as keeper.—Devon's Issue Roll, p. 15.; Lib. 24 Hen. III.

1265. Nov. 28. Adam de Cestreton, for life.—Pat. 50 Hen. III. m. 41.

1268. Thomas de la Leye, for life.—Pat. 53 Hen. III. m. 21.

1271. April 13. John de Sancto Dionysio, afterwards Archdeacon of Rochester, for life.—Pat. 55 Hen. III. m. 19.

1288. Oct. 16. Robert de Scardeburgh, during pleasure.—Pat. 16 Edw. I. m. 4.

1289. Dec. 16. Richard de Climpinges.—Pat. 18 Edw. I. m. 45.

During his time the Jews were banished from the kingdom.

1290. Oct. 27. Walter de Agmondesham, during pleasure.—Pat. 18 Edw. I. m. 3.

In 26 Edward III. he was receiver of the money for payment of the expenses of the army in Scotland (Liber Rob. Hayroun in Carlton Ride), and afterwards became chancellor of that kingdom.—Rot. Parl. i. 469.

1298. April 10. Henry de Bluntesdon, called the king's chaplain and "Elymosinarius," during pleasure.—Pat. 26 Edw. I. m. 20.

1307. Nov. 7. Adam de Osgodby, master of the Rolls, during pleasure.—Pat. 1 Edw. II. m. 13.

1313. Sept. 18. Adam de Osgodby, master of the Rolls, for life.—Pat. 7 Edw. II. p. 1. m. 17.

At this period the rents were so much in arrear that the king issued a mandate to the mayor and sheriff of London to assist in their collection.—Pat. 7 Edw. II. p. 1. m. 13.

1316. Aug. 20. William de Ayremynne succeeded him in both offices, and had the grant of this for life.—Madox's Exch. i. 259. He resigned the mastership of the Rolls on May 26, 1324, but continued keeper of this House till October 4, 1325, when his removal no doubt took place on his becoming Bishop of Norwich.

Under him the brethren complained to the king

that their allowance from the Exchequer was three years in arrear, and that some had died for want of it.—Rot. Parl. i. 378.

1325. Oct. 4. Robert de Holden, for life.—Rot. Pat. 19 Edw. II. p. 1. m. 2.

Soon after the deposition of the king he was removed.

1327. March 8. Richard de Ayremynne, for life.—Rot. Pat. 1 Edw. III. p. 1. m. 13.

He had been, but was not then, master of the Rolls. He afterwards placed this office in the hands of the king[1], to the use of

1339. June 6. John de St. Paul, master of the Rolls, to whom it was then given for his life.—Rot. Pat. 13 Edw III. p. 1. m. 10.

St. Paul retained it after he had ceased to be master of the Rolls, but resigned on his being made Archbishop of Dublin.

1350. Jan. 28. Henry de Ingelby, for life.—Rot. Pat. 24 Edw. III. p. 1. m. 30.

On his resignation

1371. July 22. William de Burstall, master of the Rolls, received the appointment for life.—Rot. Pat. 45 Edw. III. p. 2. m. 29.

From this time the two offices of master of the Rolls and keeper of the House of Converts have always been held by the same person. The patent by which they were annexed is dated April 11, 1377, 51 Edward III., two months before the king's death. After reciting that by the negligence of preceding keepers the chapel and buildings had become ruinous, and that William de Burstall had expended great sums in their repair since he became keeper, and also in erecting new houses there, the king grants, that, for the future support of the house, it shall for ever be annexed to

[1] It appears, however, by Rot. Claus. 6 Edw. III., m. 30., that though Richard de Ayremynne was then keeper of the House of Converts, Henry de Cliff, the master of the Rolls, resided there. The record states that he took the Great Seal to his "Hospicium" at the House of Converts, and sealed in the chapel of the converts.

the office of the keeper of the Rolls of the Chancery, and that the chancellor shall have power to institute every succeeding keeper of the Rolls into the said house.

No earlier accounts of the keeper of the House of Converts now exists than those of Richard de Ayremynne, commencing 5 Edward III., 1331; nor have any later been discovered than 6 James I., 1608, when Edward Bruce, Lord Kinlos, was master. After the banishment of the Jews in 1290 the number of converts must have greatly diminished; for during the period comprehended in the accounts, they seldom exceeded five or were less than two. The usual daily allowance was three-halfpence to the men and one penny to the women.[1]

## MASTERS IN CHANCERY.

THE six following clerks or masters in Chancery, whose names occur under Edward II., continued to act in this reign. There were probably six others, but I have not been able to discover who they were.

| | | |
|---|---|---|
| Henry de Cliff, M.R. | 1 to 7 Edw. III. | |
| Adam de Brome | *1 to 3* | — |
| William de Herlaston | *1 to 27* | — |
| John de Crosseby | *1 to 2* | — |
| William de Leycester | 1 to 8 | — |
| Henry de Edenestowe | 1 to 20 | — |
| Those appointed in this reign were — | | |
| Thomas de Baumburgh | 1 to 14 | — |
| ? Adam de Herwynton | 2 | — |
| Thomas de Evesham (M. R. for six weeks in 14 Edw. III.) | 2 to 17 | — |
| Michael de Wath (M. R. from 8 to 11 Edw. III.) | 6 to 14 | — |
| John de Blebury | 6 to 12 | — |

[1] That learned antiquary and amiable man, the Rev. Joseph Hunter, in whose department these records are kept, has obligingly furnished me with these particulars.

| | | |
|---|---|---|
| Thomas de Brayton, or Drayton | 6 to 33 | Edw. III. |
| John de St. Paul (M. R. from 11 to 14 Edw. III.) | 7 to 23 | — |
| John de Langtoft | 7 to 14 | — |
| Edmund de Grymesby | 9 to 27 | — |
| Thomas de Elingham | 11 | — |
| Robert de Kettleseye | 11 to 20 | — |
| ? William de Kyldesby | 12 | — |
| ? Thomas Durant, Archdeacon of Middlesex | 12 | — |
| John de Wodehouse, afterwards chancellor of the Exchequer | 12 to 15 | — |
| ? Henry de Iddesworth | 12 to 20 | — |
| Henry de Stratford | 14 | — |
| Thomas de Sibthorp (killed by his clerk) | 14 to 25 | — |
| Thomas de Cotyngham | 14 to 44 | — |
| Thomas de Pardishowe | 15 | — |
| John de Marton | 15 to 17 | — |
| John de Thoresby, M. R. | 15 to 19 | — |
| Elyas de Grymesby | 15 to 36 | — |
| Gilbert de Chishull | 18 | — |
| Thomas de Capenhurst | 18 to 21 | — |
| William de Emeldon | 18 to 28 | — |
| Andrew de Offord | 19 to 29 | — |
| David de Wollore, M. R. | 19 to 44 | — |
| ? John de Chestrefeld | 22 | — |
| John Gogh | 25 to 29 | — |
| William de Newenham | 25 to 29 | — |
| Walter Power | 25 to 47 | — |
| John de Rokyngham | 33 | — |
| John de Codyngton | 33 to 43 | — |
| ? John de Branketre | 36 to 48 | — |
| William de Mirfield | 36 to 49 | — |
| Richard de Ravenser, Archdeacon of Lincoln | 36 to 51 | — |
| Nicholas de Spaigne | 45 to 48 | — |
| ? Robert de Wykford, afterwards Archbishop of Dublin and chancellor of Ireland | 45 to 50 | — |
| William de Burstall, M. R. | 45 to 51 | — |
| Thomas de Newenham | 45 to 51 | — |
| ? Simon de Multon | 46 to 49 | — |
| Henry de Codington | 49 to 51 | — |
| Richard de Tissyngton | 50 | — |
| Thomas de Thelwall | 50 to 51 | — |
| John de Freton, or Frethorne | 50 to 51 | — |
| ? Michael de Ravendale | 50 to 51 | — |
| ? Peter de Barton | 50 to 51 | — |

| | | |
|---|---|---|
| ? John de Bouland | 50 to 51 | Edw. III. |
| ? Walter Skirlawe, Dean of St. Martin's, London, afterwards Bishop of Lichfield, Bath and Wells, and Durham | 51 | — |

Throughout the reign they attended the parliament, and were almost invariably appointed *receivers* of the petitions presented to it, the *triers* of which were selected from among the peers and the judges.

By a petition in 4 Edward III. it appears that for time out of mind it had been the practice, under the royal command, for the chancellors to present the livings in the king's gift, within the value of twenty marks, to the clerks in the Chancery; and that it had so continued until Henry de Burghersh, Bishop of Lincoln, became chancellor; and the clerks complain that he, during the whole of his time, presented these livings to his own clerks, contrary to the king's will and the said ordinance and usage. Whereupon they pray that the king and his council will order that the chancellor shall in future give the said benefices to the clerks, and that this shall be by "eleccion de les *mestres de la chauncellerie.*" The answer to this petition was, that they should be given to the clerks of the Chancery and the Exchequer, and the two benches, and no other.[1]

Here we have another step towards the adoption of the present title of *masters* in Chancery; and before the end of the reign the designation was introduced into the formal appointment to the office.

In 49 Edward III. the king granted that Henry de Codington should, during his life, be one of his clerks "de majori gradu, vidlt.: unus de 12 *Magistris* cancellariæ nostræ predictæ," of which one was then deficient: and in a grant to Thomas de Thelwall, two years afterwards, he is spoken of as "unius de duodecim clericorum nostrorum in cancellaria de

[1] Rot. Parl. ii. 41.

primo gradu." These are the first instances I have seen of their number being fixed.

One of their privileges was to have all pleas between any of their body and other persons tried in the Chancery; and a writ issued against one of them by the sheriffs of London, at the suit of a private party, was annulled, and the plea ordered to be prosecuted "in cancellaria nostra;"[1] and this privilege extended to their servants.[2]

The robes of the clerks were supplied out of the issues of the Hanaper; and the keeper of that department in May, 24 Edward III., was ordered to pay to the chancellor 7*l.* 1*s.* 8*d.*, being the sum which their summer robes, in consequence of the dearness of the materials, had cost beyond the accustomed allowance.[3]

The importance of the position in which they stood, if not the nature of their duties, may be in some measure collected from the oath appointed for them to take, which is appended to the "Ordinance for the Justices," 20 Edward III. They are to swear that they will "serve the king and his people in their office; that they will not assent nor procure the king's disherison nor perpetual damage to their power, nor do any fraud to any man's wrong, nor thing that toucheth the keeping of the Seal; that they shall give counsel in the thing that toucheth the king when required, and conceal it when given; and that they shall put their lawful power to repress and amend the king's disherison or fraud on the Seal known to them; and, if they cannot do it, shall certify the chancellor to be amended."

The same statute shows that there were other clerks of a lower grade in the same department, called clerks of course, *clerici de cursu*, who swore the same oath, with several addi-

[1] N. Fœdera, iii. 13.
[2] Ibid. 797.
[3] Ibid. 196.

tional clauses relative to the issue of writs, the preparation of which belonged to them.[1]

These, no doubt, were the "clerks of the Chancery" who, at four different times in 44 Edward III., received of the king's gift, 1*l.*, 7*s.* 6*d.*, 13*l.* 6*s.* 8*d.*, and 3*l.* 13*s.* 4*d.*, for their labour in writing letters to all parts of England to borrow money for the king, and on other state affairs. William de Wynterton, "clerk in the Chancery," who was paid 6*s.* 8*d.* for writing two charters of the foundation of the king's chapel at Westminster, in 24 Edward III., was also probably of this class.[2]

During the second year of this reign the Chancery was held at York, where the King's Bench and Exchequer were then established; and it seems also to have been there throughout the seventh year. But in all the remainder of the reign it appears to have been permanently fixed in London and Westminster. The place of its sittings, in the latter, is invariably in the Great Hall, "at the marble seat where the chancellors were accustomed to sit;" and in the former, was principally in the Chapter House of the Friars Preachers, or Friars of Mount Carmel, in Fleet Street; being occasionally varied from circumstances now unknown, or for the convenience of the holders of the Seal. Thus we have one instance of a sealing at the House of Converts, another at the New Temple, and two at Berkyng Chapel, near the Tower.

I have already shown, in the survey of the preceding reign, the commencement of the practice of a separate reference to the Chancery. The Rolls of Parliament, and other records, prove that the same course continued under Edward III.;

[1] Stat. of Realm, i. 306.

[2] Pell Records, 126. 220. 419. 479.; Devon's Issue Roll, 154. For the communication of several of the documents referred to in this account, I have to express my grateful acknowledgments to William Brougham, Esq., one of the present masters.

and that the equitable jurisdiction of the chancellor, if not completely established, was practically recognised in the course of this reign, seems to be generally acknowledged.[1] There is no doubt that there was, at this time, a regular *Court of Chancery;* that it was held in Westminster Hall, at the marble stone, or marble chair; that "the chancellor usually sat there, among the clerks of the Chancery;"[2] and that, when so sitting, he was said to be "in plena cancellaria."[3] There is an instance, in 44 Edward III., of all the judges of both benches coming into Chancery to debate as to the widow of a grantee of the crown being entitled to livery for her son, who was under age.[4] In a case, also, in 17 Edward III., the chancellor, Parning, brought down the record in a suit from the Chancery, into the Court of King's Bench with his own hand.[5]

It was still the duty of the chancellor or keeper of the seal "tenere hospitium" for the clerks of the Chancery and the other officers of the department.[6]

The courts of King's Bench and Exchequer, in the first year of Edward's reign, were removed from London to York, to the great annoyance of the citizens of the former, whose remonstrances were at that time unable to produce a reversal of the order.[7] But in October in the next year the king, by advice of the parliament, commanded both courts to return to Westminster; the Exchequer to be held there in the next Hilary term, and the King's Bench at Easter.[8]

It is evident, however, that the King's Bench still followed the royal movements; for we find an enactment in February, 8 Edward III., that it should stay in Warwickshire after the

[1] Hardy's General Introd. to Close Rolls, 110.
[2] Rot. Claus. 19 Edw. III., p. 2. m. 21.
[3] Ibid. 25 Edw. III., m. 11.
[4] Year Book, Mic. 44 Edw. III., p. 45.
[5] Ibid. East. 17 Edw. III., p. 21.
[6] Rot. Claus. 2 Edw. III., m. 33.
[7] N. Fœdera, ii. 717.
[8] Rot. Parl. ii. 442.

following Easter: and in 38 Edward III., the Commons presented a petition to the king, complaining that as the Bench is wandering from county to county the people are made to come before the justices in each county, to their great distraction and cost; and that many are defeated for want of wise counsel, whereof they can find none because of the uncertainty of the place; and therefore praying that the said Bench may be established in Westminster or York. The king refused to renounce his prerogative of ordering his Bench where he should please; but promised to do so as should be best in ease and quiet of his people; and a similar complaint, with much the same answer, occurs in 46 Edward III.[1]

## CHIEF JUSTICES OF THE KING'S BENCH.

THERE is some doubt whether GEOFFREY LE SCROPE, who was chief justice of this court at the end of the reign of Edward II., was re-appointed on the commencement of this; and it is questionable whether the place was filled up during the first year.

? HENRY LE SCROPE, however, who had presided in the court during part of the former reign, is stated by Dugdale to have been discharged from the office of chief justice on March 1 in the first year; so that, if there is no mistake in this, he may have held it during the months of January and February, 1327. But this again seems to be contradicted by the fact that he was appointed second justice of the Common Pleas on February 5. The greater probability seems to be that the discharge was to Geoffrey le Scrope, and that the office was then left vacant until certain suspicions which were harboured against him had been investigated. On his clearance from these

[1] Rot. Parl. ii 286. 311.

GEOFFREY LE SCROPE was reinstated on February 28, 1328, 2 Edward III. The king requiring his presence with him in France in the next year,

ROBERT DE MALBERTHORP, one of the judges of the court, was raised to its head on May 1, 1329; but he resigned the place to

HENRY LE SCROPE on October 28 following, who in his turn was superseded by his brother,

GEOFFREY LE SCROPE, on December 19, 1330. Geoffrey being again called upon to accompany the king abroad,

RICHARD DE WILUGHBY, a judge of the court, was substituted for him from March 28 to September 20, 1332, 6 Edward III., when

GEOFFREY LE SCROPE resumed his position for about a year; but going then on an embassy to France,

RICHARD DE WILUGHBY was replaced on September 10, 1333, 7 Edward III.

The precise date on which Geoffrey le Scrope resumed his office does not appear; but he is called by the title of chief justice in the mandate to him to attend the parliament of Edward Balliol in Scotland, which is dated February 1, 1334[1]; and in the parliament at York which was held about the 20th of the same month it was enacted, that the King's Bench should stay in Warwickshire after Easter, "for that Sir Geoffrey le Scroop, chief justice, is busie in the king's weighty affairs, whose place to supply Sir Richard Wilughby is appointed."[2]

Scrope became second judge of the Common Pleas on July 16, 1334, but remained there only a short time; as he was not in that court in 1337, and was certainly chief justice of this on April 4, 1338, when he was commanded in that character to admit two new judges to their places.[3]

[1] N. Fœdera, ii. 875.
[2] Rot. Parl. ii. 377.
[3] Rot. Claus. 12 Edw. III., p. 1. m. 11.

He resigned previous to the following October, being then called "nuper Capitalis Justiciarius."[1]

RICHARD DE WILUGHBY, who, during Scrope's numerous embassies, had performed the duties of the office, was then re-appointed, and continued to act till the middle of the year 1340; when, being removed, he made way for

ROBERT PARNING, a judge of the Common Pleas, who was constituted chief justice on July 24, 1340, 14 Edward III. Before six months had expired, Parning was made treasurer, and was succeeded by

WILLIAM SCOT, one of the judges of the court, who was appointed its chief on January 8, 1341, 14 Edward III. On his death,

WILLIAM DE THORPE, also a member of the same bench, became chief justice on November 26, 1346, 20 Edward III. He was disgraced in the twenty-fourth year, and

WILLIAM DE SHARESHULL, then a justice of the Common Pleas, superseded him on October 26, 1350. On his retirement,

THOMAS DE SETONE, another justice of the Common Pleas, was made chief justice of the King's Bench on July 5, 1357, 31 Edward III. He was succeeded by

HENRY GREEN, also from the Common Pleas, on May 24, 1361, 35 Edward III. It does not clearly appear whether he was disgraced, as stated in Joshua Barnes's history of the reign; but he was certainly removed October 29, 1365, 39 Edward III., when

JOHN KNYVET, likewise from the Common Pleas, was put in his place. He created a vacancy by accepting the Great Seal, as chancellor, on June 30, 1372, 46 Edward III.

JOHN DE CAVENDISH, also a judge of the Common Pleas, was appointed chief justice on July 15 following, and held

[1] Liber. 12 Edw. III., m. 4.

the presidency of the court during the six remaining years of the reign.

## Judges of the King's Bench.

The two junior judges of this court at the end of the last reign were Henry Spigurnel and Robert de Malberthorp. The former was not re-appointed, being incapacitated by age; but the latter, after a short interval, was replaced in his seat.

| | | |
|---|---|---|
| I. | 1327. March 6. | Walter de Friskeney. |
| | 7. | Robert de Malberthorp. |
| | 9. | Robert Baynard. |
| II. | 1328. | Henry de Hambury, loco ? W. de Friskeney. |
| IV. | 1330. Dec. 15. | Richard de Wilughby, removed from the Common Pleas, loco ? R. Baynard. |
| | | Thomas de Louther. |
| | 1331. Jan. 18. | Geoffrey de Edenham, loco R. de Malberthorp, made Just. C. P. |
| VI. | 1332. Jan. 28. | Thomas Bacon, from the Common Pleas; loco R. de Wilughby, about to be made Ch. K. B. |
| VII. | 1333. March 20. | William de Shareshull, for only two months. |
| VIII. | 1334. Sept. 14. | Robert de Scardeburgh, or Scorburgh, from the Exchequer; loco ? T. de Louther. |
| XII. | 1338. April 4. | Robert Brundish. |
| | | William Faunt. |
| XIII. | 1339. May 2. | William Scot, loco ? T. Bacon. |
| | Sept. 6. | John de Shardelowe, Just. C. P.; loco R. de Scardeburgh, made C. P. |

On November 30, 1340, the king returned from the siege of Tournay, and being disappointed at the want of funds, hastily dismissed and imprisoned several of his judges and other officers on charges of maladministration. It would appear from the above arrangement that the judges of this court at the time were,

Robert Parning, chief justice,

| | |
|---|---|
| Henry de Hambury, | William Faunt, |
| Geoffrey de Edenham, | William Scot, |
| Robert Brundish, | John de Shardelowe. |

But of these, though Hambury was alive in 19 Edward III., and Edenham in 15 Edward III., it is

very doubtful whether they remained so long on the Bench, as their names are not on the Liberate Roll of October, 12 Edward III. Neither are those of Brundish or Faunt, of whom there is so total a blank that it is difficult to say whether they retained their seats. It is therefore not impossible that Parning, Scot, and Shardelowe were then the only members of the court; and it is even uncertain whether the latter had not returned to the Common Pleas before this date. He, however, was a sufferer on this occasion: Parning was made treasurer, and Scot chief justice in his room. The only vacancy supplied at the time was

XIV. 1341. Jan. 8 Robert de Scardeburgh, loco ? J. de Shardelowe.

XV. Roger de Bankwell.

Oct. 28. William Basset, from the Common Pleas.

1342. Jan. 10. Adam de Steyngrave, also from the Common Pleas.

XIX. 1345. William de Thorpe, Just. C. P. loco ? R. de Scardeburgh.

A mandate to the keeper of the wardrobe to deliver the judges' yearly robes, gives us with certainty their names at its date, April 1, 1347, 21 Edward III. Those of the King's Bench were,

William de Thorpe, chief,

William Basset, Roger de Bankwell.

XXVIII. 1354. Thomas de Setone, loco ? W. Basset.

XXIX. 1355. Oct. 12. William de Notton, loco ? R. de Bankwell.

XXXV. 1361. Sept. 30. Thomas de Ingelby.

The judges of the King's Bench cannot be so distinctly traced during this reign as those of the Common Pleas, no such means of evidence existing as is afforded by the fines levied in the latter court. The number at the commencement was certainly three, afterwards increased to four; and I am much inclined to think that they never exceeded that number, and that both Hambury and Edenham were removed long before I have felt justified, in the subsequent columnal list, in placing a successor to either of them. Of Brundish and Faunt so little appears, that I have many doubts of their having ever sat on this bench. A question may also be

raised whether some judge has not been omitted; for it seems unlikely that there should have been only two judges for several years before the end of the reign. According to the best evidence I can collect as to the judges whose names have been produced, the only two who sat in this court at the death of the king on June 21, 1377, were chief justice John de Cavendish and Thomas de Ingelby.

Notwithstanding the clause in Magna Charta ordaining that the Common Pleas should be held in some certain place, there is sufficient evidence to show that under Edward III. the rule was not strictly abided by. The statute of 2 Edward III. c. 11., enacts that before the Common Bench be removed, "the justices shall be warned by a time, so that they may adjourn the parties by such time that they shall not lose their process."

The ordinary place of sitting still continued to be at Westminster; but in the eighth year an assize was brought in the Common Pleas then sitting at York, for the office of ushery in that court, the plaintiff complaining that he was disseised of his freehold *in York*. One of the counsel distinctly says that "the Common Bench is not in a certain place, but sometimes here (in York) and at other times in London, changed according to the king's will."[1] Reference also is made to an assize held before Sir William Herle and his companions, in the Common Pleas at York, in an undated petition to parliament[2]; but which must have been about the same period, as Herle soon after retired from the court.

It is probable, as the Chancery and the King's Bench were, as we have seen, not stationary at this period, that the removal of the courts was occasioned by the war with Scot-

[1] Year Book, Hil. 8 Edw. III., pl. 47. [2] Rot. Parl. ii. 399.

land, and the king's desire to have his judges near him while he was prosecuting it.

Another instance of this court sitting at York may be found in the petition of the Commons in 38 Edward III., already adverted to, in which it is prayed "that the King's Bench may be established at Westminster or York, *where the Common Bench remains*, that a man may have counsel of one place or the other."[1]

## CHIEF JUSTICES OF THE COMMON PLEAS.

HERVEY DE STAUNTON, the chief justice of this court at the end of the last reign, was probably in too bad a state of health to be re-appointed at the commencement of this, as he died in the same year. Within a few days after the accession of Edward III.,

WILLIAM DE HERLE, one of the judges of the court, was appointed chief justice, his patent being dated February 4, 1327. He was replaced by

JOHN DE STONORE, then chief baron of the Exchequer, on September 3, 1329, 3 Edward III.; who was superseded in his turn, and

WILLIAM DE HERLE restored on March 2, 1331, 5 Edward III. In little more than four years he was honourably exonerated from his office, on July 3, 1335, 9 Edward III.

JOHN DE STONORE was reinstated on July 7, but was removed for some alleged misconduct when the king returned from Tournay at the end of 1340, 14 Edward III.; and

ROGER HILLARY, one of the judges of the court, was made chief justice on January 8, 1341.[2]

[1] Rot. Parl. ii. 286.; Manning's Serviens ad legem, 179, 180.

[2] William Scot, although introduced by Dugdale on April 27, 1341, is omitted here; its insertion being evidently a mistake, as Scot was then, and continued to be, chief justice of the King's Bench.

JOHN DE STONORE was restored on May 9, 1342, and sat till his death, when

ROGER HILLARY was replaced on February 20, 1354, 28 Edward III.; and also died in the office.

ROBERT DE THORPE was raised to the vacant seat on June 27, 1356, 30 Edward III. He filled it till he was called to take the chancellorship on March 26, 1371, 48 Edward III.

WILLIAM DE FYNCHEDEN, a judge of the court, was appointed in his stead on April 14; and was succeeded by

ROBERT DE BEALKNAP on October 10, 1374, 48 Edward III., who occupied the seat during the remainder of the reign.

## JUDGES OF THE COMMON PLEAS.

THE only changes in the five judges who acted in this court at the end of the last reign, were the appointment of one of them, William de Herle, as chief justice in the place of Hervey de Staunton; the removal of John de Bousser for a short time; and the introduction of Henry le Scrope as second justice.

| | | |
|---|---|---|
| I. 1327. | Jan. | Henry le Scrope, John de Stonore,<br>John de Mutford, Walter de Friskeney. |
| | March 24. | John de Bousser, loco W. de Friskeney, made K. B. |
| II. 1328. | March 6. | Richard de Wilughby; being a sixth, who was afterwards made second justice on September 2, 1329. |
| III. 1329. | March 2. | John Travers, loco John de Stonore, made Ch. B. E. |
| | Sept. 30. | Thomas Bacon, loco R. de Wilughby, made second justice. |
| IV. 1331. | Jan. 18. | Robert de Malberthorp, from the King's Bench, loco R. de Wilughby, made K. B.<br>John de Cantebrig, loco J. de Mutford.<br>John Inge, loco J. de Bousser. |

| | | | |
|---|---|---|---|
| V. | | April 1. | John de Stonore, from being chief, to be second justice, loco R. de Malberthorp. |
| VI. | 1332. | Jan. 28. | John de Shardelowe, loco T. Bacon, made Just. K. B. |
| | | Feb. 3. | Richard de Aldeburgh, being a seventh justice. |
| VII. | 1333. | May 30. | William de Shareshull, from the King's Bench; loco ? J. Travers. |
| VIII. | 1334. | July 16. | Geoffrey le Scrope, loco J. de Stonore. |
| | | Sept. 24. | John de Trevaignon, being an eighth justice. |
| XI. | 1337. | Hil. | William Basset, loco ? G. le Scrope. |
| | | March 18. | Roger Hillary, loco ? J. de Cantebrig. |
| | | | William Scot, loco ? J. de Trevaignon. |
| XIII. | 1339. | Sept. 6. | Robert de Scardeburgh, Just. K. B., loco J. de Shardelowe, made K. B. |
| XIV. | 1340. | Feb. 4. | James de Wodestoke, loco ? W. Scot. |
| | | | ? John de Shardelowe, loco R. de Scardeburgh. |
| | | May 23. | Robert Parning, being a ninth justice. |
| | | Oct. 9. | Richard de Wilughby, loco ? R. Parning, made Ch. K. B. |

On the king's return from France on November 30, the following would appear to have been the judges of the court, viz.,

John de Stonore, chief justice,

| | |
|---|---|
| John Inge, | Roger Hillary, |
| Richard de Aldeburgh, | ? John de Shardelowe, |
| William de Shareshull, | James de Wodestoke, |
| William Basset, | Richard de Wilughby. |

Of these, Stonore, Shareshull, Shardelowe, and Wilughby underwent the king's displeasure and were removed; and probably Inge, as he is not mentioned as a judge afterwards. Roger Hillary was made chief justice; and a new patent was issued in favour of Aldeburgh and Basset, together with Thomas de Heppescotes. This looks as if the court was newly constituted; and as Wodestoke died about this time, it is not improbable that it was so, the number being thus reduced to four.

| | | | |
|---|---|---|---|
| | 1341. | Jan. 8. | Thomas de Heppescotes, loco ? R. Hillary. |
| XV. | | May 30. | Richard de Kelleshull, making a fifth, loco ? J. Inge. |
| | | Oct. 28. | Adam de Steyngrave, loco W. Basset, made Just. K. B. |
| XVI. | 1342. | April 23. | William de Thorpe, loco ? A. de Steyngrave, made K. B. |

John de Stouford, loco ? T. de Heppescotes.

May 10. William de Shareshull, restored.

May 16. John de Shardelowe, restored.

Richard de Wilughby ? restored about this time.

June 4. Roger Hillary, having surrendered the chief justiceship to J. de Stonore, took his seat as a puisne judge, thus making the ninth.

XIX. 1345. Nov. 10. William de Shareshull, Ch. B. E., to be second justice loco ? W. de Thorpe, made K. B., thus reducing them to eight.

We have a precise list of the judges who sat in this court on April 1, 1347, from the record granting them their robes. They were,

John de Stonore,

Richard de Wilughby, William de Shareshull,

Roger Hillary, Richard de Kelleshull,

John de Stouford;

the places of John de Shardelowe and Richard de Aldeburgh, deceased, not having been filled up.

XXI. 1348. Jan. 14. Thomas de Fencotes, loco R. de Aldeburgh, increasing them again to seven.

XXVIII. 1354. Feb. 6. Henry Green, loco ? W. de Shareshull, made Ch. K. B.

XXIX. 1355. Thomas de Setone, loco ? J. de Fencotes.

XXXI. 1357. July 4. Henry de Molelowe, loco ? T. de Setone, made Ch. K. B.

XXXIII. 1359. July 11. John de Moubray, loco ? J. de Stouford.

Oct. 25. William de Skipwith, loco ? R. de Kelleshull.

XXXV. 1361. Sept. 30. John Knyvet, loco ? Henry Green, made Ch. K. B.

XXXVIII. 1364. Feb. 3. John de Delves, loco ? W. de Skipwith, made Ch. B. E.

XXXIX. 1365. Oct. 29. William de Fyncheden, loco ? J. Knyvet, made Ch. K. B.

William de Wychingham.

XLV. 1371. Nov. 27. John de Cavendish, loco ? W. de Fyncheden made Ch. C. P.

Roger de Meres, loco ? J. de Delves.

XLVI. 1372. Roger de Kirketon, unless he be the same with Roger de Meres, as suggested in the memoir of the latter.

XLVIII. 1374. Nov. 28. Roger de Fulthorp, loco ? J. de Moubray.
L. 1376. Oct. 8. William de Skipwith, loco ? J. de Cavendish, made Ch. K. B.

From the twenty-ninth year of the reign the number of the judges of the Common Pleas had been reduced to five; and the following were the members of the court at the death of the king on June 17, 1377:

Robert de Bealknap, chief justice,
William de Wychingham, Roger de Fulthorpe.
Roger de Kirketon, William de Skipwith.

THE Exchequer, with the exception of its temporary transfer to York during part of the first and the whole of the second year of the reign, while the king was in the north prosecuting his Scottish war[1], seems to have been permanently established at Westminster.

The barons of this court were not commonly men of legal education, but were usually raised to its bench from their practical knowledge of the revenue, acquired in minor offices connected with it. Sometimes, but not always, the chief baron was an exception; and in the statute of Nisi Prius, 14 Edward III., c. 16, it is enacted "That if it happen that none of the justices of the one bench nor the other come into the county, then the Nisi Prius shall be granted before the chief baron of the Exchequer, *if he be a man of the law.*" The other barons are not named at all in the statute; neither do they ever appear among the justices of assize, unless they have been serjeants, or have been previously removed from one of the other benches.

## CHIEF BARONS OF THE EXCHEQUER.

WALTER DE NORWICH, who had long held the first place in this court, was re-appointed chief baron of the Exchequer

[1] N. Fœdera, ii. 713. 717.; Rot. Parl. 442.

on the accession of Edward III. He died in the third year; and

JOHN DE STONORE, a judge of the Common Pleas, was nominated on February 22, 1329; but only sat there till the 3rd of the following September.

HENRY LE SCROPE, at that time acting for his brother as chief justice of the King's Bench, was made chief baron December 19; and continued in the office till his death, on September 7, 1336, 10 Edward III.

ROBERT DE SADINGTON was raised to the office on March 20, 1337; and remained at the head of the court till he received the Great Seal as chancellor on September 29, 1343, 17 Edward III. The vacancy was not supplied for more than nine months;

WILLIAM DE SHARESHULL, then a judge of the Common Pleas, who was his successor, not receiving the appointment till July 2, 1344. He resumed his place in the Common Pleas, as second justice, on November 10, 1345; and his seat in this court was supplied by

JOHN DE STOUFORD, a judge of the Common Pleas, who was chief baron for a month only, from November 10 to December 8, 1345, 19 Edward III.; when

ROBERT DE SADINGTON resumed his seat at the head of the court; and retained it till his death in 1350.

GERVASE DE WILFORD, one of the puisne barons, was then made chief baron on April 7, 1350, 24 Edward III.; and his presidency appears to have lasted during the remainder of his life.

WILLIAM DE SKIPWITH must have been appointed before February 12, 1362, 36 Edward III., as he is called chief baron on that date. He is stated to have shared in the disgrace of Henry Green, the chief justice of the King's Bench; and they were certainly removed on the same day, October 29, 1365, 39 Edward III.

Thomas de Lodelowe filled the office of chief baron from that date till February 3, 1374, 48 Edward III.

William Tank was then appointed his successor, but did not retain his seat much more than a year and a half; being succeeded by

Henry de Asty on November 12, 1375, 49 Edward III., who continued chief baron for the remainder of this, and received a new patent at the beginning of the next, reign.

### Barons of the Exchequer.

Of the five junior barons of the Exchequer at the end of the reign of Edward II., Edmund de Passele died in the same year, and Humfrey de Waledene and John de Radeswell were not re-appointed. New patents were granted to the other two, —

| | | |
|---|---|---|
| I. 1327. | Feb. 2. | William de Fulburn, and<br>William de Everdon; and two days after |
| | Feb. 4. | William de Boudon was constituted second baron, a title then first introduced. |
| | Oct. 15. | Robert de Nottingham, loco W. de Boudon. |
| III. 1329. | April 16. | Robert de Wodehouse, made second baron. |
| IV. 1330. | Dec. 20. | Robert de Ayleston.<br>William de Cossale, loco ? W. de Fulburn. |
| V. 1331. | Oct. 10. | Thomas de Garton, as second baron, loco ? R. de Wodehouse, made chancellor of the Exchequer. |
| VI. 1332. | July 24. | Adam de Steyngrave, loco R. de Ayleston, made treasurer. |
| | Sept. 24. | William de Denum. |
| | Nov. 2. | Thomas de Blaston, loco ? T. de Garton.<br>Robert de Scorburgh, or Scardeburgh. |
| | Dec. 18. | John de Hildesley. |
| VIII. 1334. | Nov. 9. | Adam de Lymbergh, late chancellor of Ireland, loco J. de Hildesley. |
| X. 1336. | Oct. 3. | Nicholas Haghman, loco ? R. de Scorburgh. |
| | Nov. 10. | John de Shordich, loco ? W. de Everdon. |
| XIII. 1339. | Sept. 26. | William de la Pole, loco ? A. de Lymbergh. |
| XIV. 1340. | June 21. | William de Northwell, loco W. de la Pole. |

The bench of the Exchequer, on the return of the king from Tournay, November 30, 1340, was filled

by the following barons, (William de Northwell I presume having retired on his being made treasurer of the household):

Robert de Sadington, chief baron,
Adam de Steyngrave, John de Shordich,
Thomas de Blaston, and perhaps Nicholas Haghman.

Although I do not find that any of these were implicated in the charges brought by the king against other judges, it is apparent that a new bench was constituted, and that none of these were re-appointed except the chief baron and Thomas de Blaston. Three new ones were joined to them, viz.

1341. Jan. 20. William de Broclesby.
Gervase de Wilford, loco ? J. de Shordich.
William de Stowe, loco ? A. de Steyngrave.

XVIII. 1344. July 2. Alan de Ashe, loco ? T. de Blaston.

XXI. 1347. March 8. John de Houghton, loco ? W. de Stowe.

The barons of the Exchequer, as named in the order for their robes on April 1, 1347, were,

Robert de Sadington,
William de Broclesby, Alan de Ashe,
Gervase de Wilford John de Houghton.

XXIV. 1350. April 16. James Huse, loco G. de Wilford, made Ch. B. E.

XXVI. 1352. May 24. William de Thorpe as second baron, loco ? A. de Ashe.

XXVIII. 1354 Nov. 27. William de Retford, loco ? W. de Broclesby.

XXX. 1356. Oct. 6. Henry de Greystock, loco ? W. de Thorpe.

XXXI. 1357. John de Bukyngham, loco ? J. de Houghton.

XXXVI. 1362. Robert de Pleste, loco ? J. de Bukyngham.

XXXIX. 1365. Oct. 29. Almaric de Shirland, loco ? H. de Greystock.

Nov. 3. John de Stokes, loco ? James Huse.

XLVII. 1373. William Gunthorp, loco ? R. de Pleste.
John de Blockley.

XLIX. 1375. Oct. 5. Henry de Percehay, loco ? A. de Shirland.

Nov. 27. Laurence de Allerthorpe, loco ? W. de Retford.

L. 1376. Nov. 14. Nicholas de Drayton, loco ? J. de Stokes.

The number of barons for the most part was five, but occasionally one or two were added. At the close of the reign there were six; viz.

Henry de Asty, chief baron,
Henry de Percehay, Nicholas de Drayton,
Laurence de Allerthorpe, William Gunthorp,
John de Blockley.

## Table of Chancellors and Keepers of the Seal, and of Masters of the Rolls.

| A. R. | A. D. | Chancellors or Keepers. | Masters of the Rolls. |
|---|---|---|---|
| 1 | 1327, Jan. 25 | | Henry de Cliff. |
| | 28 | John de Hotham, Bishop of Ely, *Chanc.* | — |
| 2 | 1328, March 1 | Henry de Cliff, M. R. } *Keepers* William de Herlaston } | — |
| | May 12 | Henry de Burghersh, Bishop of Lincoln, *Chanc.* | — |
| 4 | 1330, Nov. 28 | John de Stratford, Bishop of Winchester, *Chanc.* | — |
| 7 | 1334, Jan. 20 | — | Michael de Wath. |
| 8 | Sept. 28 | Richard de Bury, or de Aungerville, Bishop of Durham, *Chanc.* | — |
| 9 | 1335, June 6. | John de Stratford, Archbishop of Canterbury, *Chanc.* | — |
| 11 | 1337, March 24 | Robert de Stratford, Archdeacon of Canterbury, *Chanc.* | — |
| | April 28 | — | John de St. Paul. |
| 12 | 1338, July 6 | Richard de Bynteworth, Bishop of London, *Chanc.* | — |
| 13 | 1339, Dec. 8 | John de St. Paul, M. R. } *Keepers* Michael de Wath Thomas de Baumburgh } | — |
| 14 | 1340, Feb. 16 | John de St. Paul, *Keeper* | — |
| | April 28 | John de Stratford, Archbishop of Canterbury, *Chanc.* | — |
| | June 20 | Robert de Stratford, Bishop of Chichester, *Chanc.* | — |
| | Dec. 14 | Sir Robert Bourchier, *Chanc.* | — |
| | 1341, Jan. 10 | — | Thomas de Evesham. |
| 15 | Feb. 21 | — | John de Thoresby. |
| | Oct. 29 | Sir Robert Parning, *Chanc.* | — |
| 17 | 1343, Aug. 27 | John de Thoresby, M. R. } *Keepers* John de St. Paul Thomas de Brayton } | — |
| | Sept. 29 | Robert de Sadington, *Chanc.* | — |
| 19 | 1345, ? July | — | David de Wollore. |
| | Oct. 26 | John de Offord, Dean of Lincoln, *Chanc.* | — |
| 23 | 1349, May 20 | David de Wollore, M. R. } *Keepers* John de St. Paul Thomas de Brayton Thomas de Cotyngham } | — |
| | June 16 | John de Thoresby, Bishop of St. David's, *Chanc* | — |
| 30 | 1356, Nov. 27 | William de Edington, Bishop of Winchester, *Chanc.* | — |
| 37 | 1363, Feb. 19 | Simon Langham, Bishop of Ely, *Chanc.* | — |
| 41 | 1367, Sept. | William of Wykeham, Bishop of Winchester, *Chanc.* | — |
| 45 | 1371, March 16 | Sir Robert de Thorpe, *Chanc.* | — |
| | 28 | — | William de Burstall. |
| 46 | 1372, July 5 | Sir John Knyvet, *Chanc.* | — |
| 50 | 1377, Jan. 11 | Adam de Houghton, Bishop of St. David's, *Chanc.* | — |

The king died June 21, 1377.

# Table of the Chief Justices and Judges of the King's Bench.



| A. R. | A. D. | Chief Justices. | Justices of the King's Bench. | | | | | |
|---|---|---|---|---|---|---|---|---|
| 1 | 1327, Jan. 25 | ? | ? | ? | ? | | | |
| | March 6-9 | | Robert de Malberthorp | Walter de Friskeney | Robert Baynard | | | |
| 2 | 1328, Feb. 28 | Geoffrey le Scrope | — | — | — | | | |
| 3 | 1329, May 1 | Robert de Malberthorpe | made Ch. K. B. | Henry de Hambury | — | | | |
| | Oct. 28 | Henry le Scrope | restored | — | — | | | |
| 4 | 1330, Dec. 15 | — | — | ? — | Richard de Wilughby | Thomas de Louther | | |
| | 19 | Geoffrey le Scrope | — | — | — | — | | |
| | 1331, Jan. 18 | — | Geoffrey de Edenham | — | — | — | | |
| 6 | 1332, Jan. 28 | — | — | — | Thomas Bacon | — | | |
| | March 28 | Richard de Wilughby | — | — | — | — | | |
| | Sept. 20 | Geoffrey le Scrope | — | — | — | — | | |
| 7 | 1333, March 20 | — | — | — | — | — | William de Shareshull | |
| | Sept. 10 | Richard de Wilughby | — | — | — | — | | |
| 8 | 1334, Sept. 14 | — | — | — | — | Robert de Scardeburgh | | |
| 11 | 1337, | Geoffrey le Scrope | — | — | | — | | |
| 12 | 1338, April 4 | — | — | — | | — | Robert Brundish | William Faunt. |
| | Oct. | Richard de Wilughby | ? | ? | | — | ? | ? |
| 13 | 1339, May 2 | — | | | William Scot | — | | |
| | Sept. 6 | — | | | — | John de Shardelowe | | |
| 14 | 1340, July 21 | Robert Parning | | | — | ? | | |
| | 1341, Jan. 8 | William Scot | | | made Ch. K. B. | Robert de Scardeburgh | | |
| 15 | | — | Roger de Bankwell | | | — | | |
| | Oct. 28 | — | — | William Basset | | — | | |
| | 1342, Jan. 10 | — | — | — | Adam de Steyngrave | — | | |
| 19 | 1345 | — | — | — | — | William de Thorpe | | |
| 20 | 1346, Nov. 26 | William de Thorpe | — | — | — | made Ch. K. B. | | |
| 24 | 1350, Oct. 26 | William de Shareshull | | — | | | | |
| 28 | 1354 | — | | Thomas de Setone | | | | |
| 29 | 1355, Oct. 12 | — | William de Notton | ? | | | | |
| 31 | 1357, July 5 | Thomas de Setone | — | | | | | |
| 35 | 1361, May 24 | Henry Green | — | | | | | |
| | Sept. 30 | — | — | Thomas de Ingelby | | | | |
| 39 | 1365, Oct. 29 | John Knyvet | | — | | | | |
| 46 | 1372, July | John de Cavendish | | — | | | | |

TABLE OF THE CHIEF JUSTICES AND

| A. R. | A. D. | CHIEF JUSTICE. | JUSTICES OF THE | | |
|---|---|---|---|---|---|
| 1 | 1327, Jan 25 to Feb. 5 | William de Herle | Henry le Scrope | John de Mutford | John de Stonore |
| | March 24 | — | — | — | — |
| 2 | 1328, March 6 | — | — | — | — |
| 3 | 1329, March 2 | — | — | — | John Travers |
| | Sept. 2, 3 | John de Stonore | Richard de Wilughby | — | — |
| | 30 | — | — | — | — |
| 4 | 1331, Jan. 18 | — | Robert de Malberthorpe | John de Cantebrig | — |
| 5 | March 2 | William de Herle | — | — | — |
| | April 1 | — | John de Stonore | — | — |
| 6 | 1332, Jan. 28 | — | — | — | — |
| | Feb. 3 | — | — | — | — |
| 7 | 1333, May 30 | — | — | — | William de Shareshull |
| 8 | 1334, July 16 | — | Geoffrey le Scrope | — | — |
| | Sept. 24 | — | — | — | — |
| 9 | 1335, July 7 | John de Stonore | — | | — |
| 11 | 1337, Jan. | — | William Basset | | — |
| | March 18 | — | — | Roger Hillary | — |
| 13 | 1339, Sept. 6 | — | — | — | — |
| 14 | 1340, Feb. 4 | — | — | — | — |
| | May 23 | — | — | — | — |
| | Oct. 9 | — | — | — | — |
| | 1341, Jan. 8 | Roger Hillary | — | Thomas de Hepescotes | removed |
| 15 | May 15 | — | — | — | |
| | Oct. 28 | — | Adam de Steyngrave | — | |
| 16 | 1342, April 23 | — | William de Thorpe | John de Stouford | |
| | May 9-16 | John de Stonore | — | — | restored |
| | June 4 | — | — | — | — |
| 18 | 1344, July 2 | — | — | — | made Ch. B. E. |
| 19 | 1345, Nov. 10 | — | William de Shareshull | made Ch. B. E. | |
| | Dec. 8 | — | — | restored | |
| 21 | 1348, Jan. 14 | — | — | — | |
| 24 | 1350, Oct. 26 | — | made Ch. K. B. | — | |
| 28 | 1354, Feb. 6 | — | Henry Green | — | |
| | 20 | Roger Hillary | — | — | |
| 29 | 1355 | — | — | — | |
| 30 | 1356, June 27 | Robert de Thorpe | — | — | |
| 31 | 1357, July 4 | — | — | — | |
| 33 | 1359, July 11 | — | — | John de Moubray | |
| | Oct. 25 | — | — | — | |
| 35 | 1361, Sept. 30 | — | John Knyvet | — | |
| 38 | 1364, Feb. 3 | — | — | — | |
| 39 | 1365, Oct. 29 | — | William de Fyncheden | — | William de Wychingham |
| 45 | 1371, April 14 | William de Fyncheden | made Ch. C. P. | — | — |
| | Nov. 27 | — | John de Cavendish | — | — |
| 46 | 1372, | — | — | — | — |
| 48 | 1374, Oct. 10 | Robert de Bealknap | | — | — |
| | Nov. 28 | — | | Roger de Fulthorpe | — |
| 50 | 1376, Oct. 8 | — | William de Skipwith | — | — |

## JUDGES OF THE COMMON PLEAS.

### COMMON PLEAS.

| | | | | |
|---|---|---|---|---|
| Walter de Friskeney | | | | |
| John de Bousser | | | | |
| — | Richard de Wilughby | | | |
| — | — | | | |
| | made 2nd Just. | | | |
| | Thomas Bacon | | | |
| John Inge | — | | | |
| — | — | | | |
| — | — | | | |
| — | John de Shardelowe | | | |
| — | — | Richard de Aldeburgh | | |
| — | — | — | | |
| — | — | — | John de Trevaignon | |
| — | — | — | — | |
| — | — | — | | |
| — | — | — | William Scot | |
| — | Robert de Scardeburgh | — | | |
| — | John de Shardelowe | — | James de Wodestoke | |
| — | — | — | — | Robert Parning. |
| — | — | — | — | Richard de Wilughby. |
| ? removed | removed | — | | removed. |
| Richard de Kelleshull | | — | | |
| — | | — | | |
| — | | — | | ? restored. |
| — | restored | — | | — |
| — | — | — | Roger Hillary | — |
| — | died 1344 | | — | — |
| — | | | — | — |
| — | | Thomas de Fencotes | — | — |
| — | | — | — | — |
| — | | — | — | — |
| — | | — | made Ch. C. P. | — |
| | | Thomas de Setone | | — |
| | | — | | — |
| | | Henry de Motelow | | — |
| | | — | | |
| William de Skipwith | | — | | |
| — | | | | |
| John de Delves | | | | |
| Roger de Meres | | | | |
| — | Roger de Kirketon | | | |
| | — | | | |
| | — | | | |
| | — | | | |

# Table of the Barons of the Exchequer.

| A. R. | A. D. | Chief Barons. | Barons of the Exchequer. | | | | | |
|---|---|---|---|---|---|---|---|---|
| 1 | 1327, Feb. 2-4 | Walter de Norwich | William de Boudon | William de Fulburn | William de Everdon | | | |
| | Oct. 15 | — | Robert de Nottingham | — | — | | | |
| 3 | 1329, Feb. 22 | John de Stonore | — | | — | | | |
| | April 16 | — | Robert de Wodehouse | | — | | | |
| 4 | 1330, Dec. 19-20 | Henry le Scrope | made Chanc. Exch. | William de Cossale | — | Robert de Ayleston | | |
| 5 | 1331, Oct. 10 | — | Thomas de Garton. | — | — | — | | |
| 6 | 1332, July 24 | — | ? | — | — | Adam de Steyngrave | | |
| | Sept. 24 | — | | — | — | — | William de Denum | |
| | Nov. 2 | — | Thomas de Blaston | — | — | — | ? | Robert de Scorburgh, or Scardeburgh. |
| | Dec. 18 | — | — | — | — | — | John de Hildesle | — |
| 8 | 1334, Nov. 9 | — | — | — | — | — | Adam de Lymbergh | |
| 10 | 1336, Oct. 3 | — | — | — | — | — | — | Nicholas Haghman. |
| | Nov. 10 | — | — | — | John de Shordich | — | — | ? |
| 11 | 1337, March 24 | Robert de Sadington | — | — | — | — | — | |
| 13 | 1339, Sept. 6 | — | — | — | — | — | William de la Pole | |
| 14 | 1340, June 21 | — | — | ? | — | — | William de Northwell | |
| | 1341, Jan. 20 | — | — | William de Broclesby | Gervase de Wilford | William de Stowe | | |
| 18 | 1344, July 2 | William de Shareshull | Alan de Ashe | — | — | — | | |
| 19 | 1345, Nov. 10 | John de Stonford | — | — | — | — | | |
| | Dec. 8 | Robert de Sadington | — | — | — | — | | |
| 21 | 1347, March 8 | — | — | — | — | John de Houghton | | |
| 24 | 1350, April 7 | Gervase de Wilford | — | — | made Ch. B. E. | ? | | |
| | 16 | — | ? | — | James Huse | | | |
| 26 | 1352, May 24 | — | William de Thorpe | ? | — | | | |
| 28 | 1354, Nov. 27 | — | — | William de Retford | — | | | |
| 30 | 1356, Oct. 6 | — | Henry de Greystoke | ? | — | | | |
| 31 | 1357, | — | ? | | — | John de Bukyngham | | |
| 36 | 1362, | William de Skipwith | | | ? | Robert de Pleste | | |
| 39 | 1365, Oct. 29 | Thomas de Lodelowe | Almaric de Shirland | | | ? | | |
| | Nov. 3 | — | — | | John de Stokes | | | |
| 47 | 1373, | — | — | | | William Gunthorpe | John de Blockley | |
| 48 | 1374, Feb. 3 | William Tant | ? | | ? | — | — | |
| 49 | 1375, Oct. 5 | — | Henry de Percehay | | | — | — | |
| | Nov. 12 | Henry de Asty | — | | | — | — | |
| | 27 | — | — | Lawrence de Allerthorpe | | — | — | |
| 50 | 1376, Nov. 14 | — | — | — | Nicholas de Drayton | — | — | |

The salary of the chief justices of both benches, at the beginning of the reign, was 40*l.* each, and that of other judges 40 marks each. The latter stipend was all that was then given to the chief baron and his associates in the Exchequer.

By stat. 20 Edward III. chap. 1., after enacting that the judges are to take no reward from any one but the king, it is especially stated that "for this cause we have increased *the fees* (les feez) of the same our justices, in such manner as it ought reasonably to suffice them." This increase is also particularly referred to in the proceedings against William de Thorpe for corruption four years afterwards.

This seems to contradict Dugdale's assertion that they were reduced from the twenty-fifth year. He allows, however, that he sees no direct certainty; and the instances of smaller amounts which he produces may have been the balances after previous payments, or instalments of what was due; for the Treasury was not always ready to pay in full.

The word "fee" in the statute evidently meant the salary paid to them by the king, that being the ordinary name given to it; and had no reference to any larger payments to which the judges were entitled on proceedings before them.

It is curious, however, that the salaries themselves were not increased; but the expressions of the statute and the king are explained by entries on the Issue Roll of 44 Edward III., 1370, which has been published *in extenso* by Mr. Frederick Devon; where the following payments to the judges will show that, though no change was made in their stipulated salaries, additional allowances were separately granted to them.

John Knyvet, Ch. K. B., had 40*l.* yearly for his fee in the office; but he had also, by letters patent "lately granted," 100 marks yearly, to be received so long as he should remain in the office. Of this he received 20*l.* on November 14, in

part payment of 50 marks then payable to him; and on November 28 he received 13*l.* 6*s.* 8*d.*, the balance. In the latter entry the grant is stated to be for his "good service, and that he might more fitly maintain his estate."[1]

Thomas de Ingelby, the only puisne judge of the King's Bench at that time, received 40 marks as his annual fee; but he also received 20*l.* a year as a judge of assize; and likewise an additional grant of 40*l.* per annum, beyond the fee, appointed to be paid to him as long as he should remain in the office.[2]

Robert de Thorpe, Ch. C. P., had 40*l.* for his fee of office; with an additional 40*l.*, which is described as having been granted to him for life, for his good service, and that he might more fitly maintain the military order which he had received from the king.[3]

The other judges of the Common Pleas mentioned in this roll are John de Moubray[4], William de Wychingham[5], and William de Fyncheden[6]; all of whom have 40 marks as their fee, also 20*l.* as justices of assize; and Moubray 40 marks, and the two others 40*l.* by additional grants.

The chief baron, and the two other barons of the Exchequer, had each of them 40 marks for their annual fee: but the chief had also 20*l.* as a justice of assize, which the others had not; showing that they were not employed in that duty. One of them, however, Almaric de Shirland, had an additional grant of 40 marks, for services rendered and to be rendered, until otherwise provided for.[7]

The same record shows us that there were also some serjeants who were employed as justices of assize, and received salaries for that duty of 20*l.* a year each.

The records of this reign afford us the first description of

[1] Issue Roll, 44 Edw. III., 349. 374. 391.
[2] Ibid. 346. 353.
[3] Ibid. 346.
[4] Ibid. 341. 346. 370.
[5] Ibid. 354.
[6] Ibid.
[7] Ibid. 280. 340. 346.

the materials which were allowed to the judges for their robes. Of these they were provided with three; the keeper of the great wardrobe having an annual mandate to deliver to each of them, for their summer robes, "dimidium pannum curcum et unam peciam sindonum et dimidium,"—half a cloth of a colour called curcus, and one piece and a half of fine linen silk; for their winter robes, "unum aliud dimidium pannum curcum cum uno capucio et tribus fururiis de bogeto albo,"—one other half of the cloth of the curcus colour, with a hood and three furs of white budge, or lambskin; and for their Christmas robes, which seem to have been what we should now term their full dress, "unum aliud dimidium pannum curcum cum uno capucio de triginta et duabus ventribus de merim, una fururia de septem cir' de merim et duabus fururiis de bish',"—half a cloth of the colour curcus, with a hood of thirty-two bellies of miniver, a fur of seven tires of miniver, and two furs of silk.[1]

The justices of both benches and the barons of the Exchequer had all the same judicial dress; and the chiefs of the different courts are not noticed as having anything to distinguish them from their fellows.

No special dress is mentioned for the justices itinerant; but after the earlier years of this reign, these officers were discontinued as separate appointments; the duties which they had performed now devolving on the regular judges, when they travelled as justices of assize. No one, by stat. 14 Edward III. c. 16., could act in the latter character, except a justice of one bench or the other, or a king's serjeant sworn.

[1] Although in each of the robes the pannus is called "curcus," Dugdale in one instance translates it "short," and in the others "colour curt." I have adopted the latter, and, acknowledging my ignorance of these matters, have taken his translation of "sindonum," "fine linen silk," and of the other articles enumerated. Orig. p. 98.; Abbrev. Rot. Orig. ii. 192.

## JUSTICES ITINERANT.

| | | |
|---|---|---|
| III. 1329. | Ralph de Bereford, | John Randolf, |
| | Adam de Brome, | Gilbert de Toutheby, |
| | John de Ifeld, | Lambert de Trikingham, |
| | John de Radenhale. | |
| IV. 1330. | Hugh de Courtney, | Thomas de Radclyve, |
| | Nicholas Fastolf, | Robert de Thorpe, |
| | Peter de Middleton, | William de Zouche, Haringworth. |
| VII. 1333. | John Claver. | |
| XXII. 1349. | William de Herlaston. | William de Scothou. |

In the Issue Roll of 44 Edward III., 1370, there are entries of payments made to no less than seven serjeants acting as justices of assize (pp. 346. 349. 354. 360, 361. 369.), viz.:—

| | |
|---|---|
| * Robert Bealknap, | John de Fencotes, |
| * John de Cavendish, | * Roger de Fulthorpe, |
| Edmund Chelreye, | * Roger de Meres, |

William de Wakebrug.

Those marked * afterwards became regular judges.

Commissions of Trailbaston were occasionally issued for extraordinary offences in the early part of the reign, and they are mentioned in the Year Book in the twenty-second year.[1]

The statute 20 Edward III. is called "The Ordinance for the Justices." The duties prescribed for them, as detailed in it, are afterwards comprehended in their oath, which is subjoined to the statute, and is in the following form: —

"Ye shall swear, that well and lawfully ye shall serve our lord the king and his people in the office of justice, and that lawfully ye shall counsel the king in his business, and that ye shall not counsel nor assent to anything which may turn him in damage or disherison by any way, manner, or colour; and that ye shall not know the damage or disherison, whereof

[1] Rot. Parl. ii. 404. 411.; Newcome's St. Alban's, 223.; Year Book, P. ii. p. 11.

ye shall not cause him to be warned by yourself or by other; and that ye shall do equal law and execution of right to all his subjects, rich and poor, without regard to any person; and that ye take not by yourself or by other, privily nor apertly, gift nor reward of gold nor silver, nor of any other thing which may turn to your profit, unless it be meat or drink, and that of small value, of any man that shall have any plea or process hanging before you, as long as the same process shall be so hanging, nor after for the same cause; and that ye take no fee as long as ye shall be justice, nor robes of any man, great or small, but of the king himself; and that ye give none advice or counsel to no man, great nor small, in no case where the king is party; and in case that any, of what estate or condition they be, come before you in your sessions with force and arms, or otherwise against the peace, or against the form of the statute thereof made, to disturb execution of the common law, or to menace the people that they may not pursue the law, that ye shall cause their bodies to be arrested and put in prison; and in case they be such that ye cannot arrest them, that ye certify the king of their names and of their misprision hastily, so that he may thereof ordain a convenable remedy; and that ye, by yourself nor by other, privily nor apertly, maintain any plea or quarrel hanging in the king's courts or elsewhere in the country; and that ye deny to no man common right by the king's letters, nor none other man's, nor for none other cause; and in case any letters come to you contrary to the law, that ye do nothing by such letters but certify the king thereof, and proceed to execute the law notwithstanding the same letters; and that ye shall do and procure the profit of the king and of his crown, with all things where ye may reasonably do the same. And in case ye be from henceforth found in default in any of the points aforesaid, ye shall be at the

king's will, of body, lands, and goods, thereof to be done as shall please him; as God you help, and all saints."[1]

The knighthood of some of the judges is evidenced by various mandates to the keepers of the wardrobe to supply them with certain apparel and furniture at the king's expense. Of these the following examples are given by Anstis in his "Observations Introductory to an Historical Essay upon the Knighthood of the Bath."

The first is in 3 Edward III., 1329, "pro Joh. de Cambridge novo milite faciendo tanquam Baneretto."

At that time he was a king's serjeant, and acted as a justice itinerant; and in January 1331 became a judge of the Common Pleas.

A similar order occurs in 6 Edward III., 1332, in favour of Robert de Scoresburgh, who became a baron of the Exchequer in this year, and had been a justice itinerant; of Thomas Bacon, John de Shardelowe, and Richard de Aldeburgh, at that time judges; of William de Denum, a baron of the Exchequer; and of William de Shareshull, then only a king's serjeant. The entry is "pro militia eorundem tanquam pro Banerett."

In the next year, 1333, the legal men included in an order of the same description are William de Shareshull again, who, in the interval, had been made a judge, which raises the supposition that the former order had been annulled; Robert de Scardeburgh, which, if he was the same person who is called Robert de Scoresburgh in the former order, leads to the same impression; and John de Shoreditche, a doctor of civil law, who had been chief clerk of the Common Pleas, and was not made a baron of the Exchequer till three years afterwards. All these are knighted "tanquam Baneretti" except Robert de Scardeburgh, to whose name that distinction is not added.

[1] Stat. of Realm, i. 305.

Thomas de Fencotes has similar allowances at Christmas, 21 Edward III., 1347, "ad recipiend. ordinem militarem ad modum Baneretti;" no doubt in anticipation of his being made a judge of the Common Pleas, which took place on January 14 following.

The last order in this reign quoted by Anstis is for John Moubray and William Skipwith, "pro apparatibus suis ad ordinem militarum ad modum Baneretorum. recipiendum," at Christmas, 1360, 34 Edward III., both of whom had been recently made judges of the Common Pleas.

All of these it will be seen were, or were about to be, made judges, except three, who afterwards were also raised to the bench. John de Shoreditche does not appear to have been a serjeant, but was knighted for his services as a royal ambassador. John de Cambridge and William de Shareshull, however, were serjeants; but the former was also a justice itinerant, and the latter's investiture seems to have been delayed till the following year, when he was raised to the bench; so that they form no certain precedent for the knighthood of the serjeants.

Dugdale, in the rubric to such of these mandates as he quotes, calls the parties Knights of the Bath; and Anstis introduces all of them for the purpose of showing that they were so. There does not, however, seem sufficient authority for so designating them. Although the nature of some of the articles supplied plainly proves that bathing was part of the ceremony, there is nothing to show that it was a peculiar distinction for any separate order at that time existing. The order of the Bath is never mentioned, but, on the contrary, the parties are all spoken of as receiving "militiam" or "ordinem militarem," or "novo milite faciendo," that is, simple knighthood; the only difference noticed being that they were to receive this knighthood "tanquam baneretti," which was a somewhat more honourable order than that of a

simple knight. Granting all the facts adduced by Anstis, he fails to prove the correctness of the inference he draws from them, by omitting to state any distinct difference at this time between the ceremonial adopted on the institution of a knight bachelor, viz., one who was called upon under penalty to assume the order, and those on whom knighthood was conferred, as in the above instances, as a matter of royal favour. If knights bachelors were obliged to go through the ceremony of bathing at their investiture, his whole argument falls to the ground.

No doubt can exist that, besides those named in the foregoing extracts, many, if not most, of the other judges received the order of knighthood, although the records of their investment do not remain. The higher rank which some of these bore in the law, would make it very unlikely that they should be marked by a less honourable distinction than the others, unless the latter had rendered some peculiar service, which does not appear to have been the case.

Geoffrey le Scrope, who was unquestionably a knight at the commencement of the reign of Edward III., was advanced to the higher order of Banneret in the fourteenth year, and received a grant of 200 marks for the support of the dignity; but he is never called a Knight of the Bath. Neither was his brother, Henry le Scrope, who was alike distinguished; and I am not aware of any one of the chief justices of either bench who was not admitted into knighthood; but no expression indicates that they were of the order of the Bath. I cannot find any evidence that a peculiar order so called existed at all in this reign; and it is certain that, in the public documents where the names of knights occur, no addition appears intimating a difference in their order.

However desirous King Edward might be, as he evidently was, to improve the course of justice, and to secure the purity of the bench, it is obvious, from various incidents in his reign

connected with the administration of the law, that he was liable to be led away by sudden impulses; and after awarding punishment without due consideration, to feel himself compelled to annul his sentence, and restore those who had been the victims of his impetuosity. Thus, on his return from the siege of Tournay in 1340, irritated by the failure of the supplies he had expected, not only were Robert de Stratford, Bishop of Chichester, the Chancellor, and John de St. Paul, the master of the Rolls, visited with his indignation, but John de Stonore, the chief justice of the Common Pleas, and John de Shardelowe, William de Shareshull, and Richard de Wilughby, puisne judges, were all dismissed from the bench on some charges the nature of which is not recorded.[1] But in less than two years all the four judges were restored to their seats, and the other two resumed their places in the king's favour.

In 1350, William de Thorpe, the chief justice of the King's Bench, was convicted on his own confession of receiving bribes to stay justice[2]; but though his property was forfeited to the crown on his condemnation, the king appears to have relented, and to have made him second baron of the Exchequer in May, 1352, unless I am mistaken in supposing the latter to have been the same person.

Another instance of the king's readiness in making charges, or of his leniency in overlooking them, occurred in October, 1365, when, according to Joshua Barnes, he discharged and imprisoned both Sir Henry Green, the chief justice of the King's Bench, and Sir William Skipwith, the chief baron of the Exchequer, "on account of many notorious enormities, which *he understood* they had committed against law and justice."[3] Green was not restored, as he died in 1369; but a Sir William de Skipwith, who, for the reasons I have

[1] Barnes's Edward III., 212.
[2] N. Fœdera, iii. 208.
[3] Barnes's Edward III., 667.

given in the sketch of his life, may, I think, be identified with the chief baron, was constituted chief justice of the King's Bench in Ireland, in February, 1370, and a judge of the Common Pleas in England, in October, 1376.

It cannot be doubted, however, that, notwithstanding their oath, the judges were in the habit of taking payments from others besides the king. The Knights Hospitallers' Survey, made in 1338, gives us a most unfavourable insight into the corruption of the times. It speaks of pensions paid to divers persons, "tam in curia domini regis, quam justiciariis, clericis officiariis et aliis ministris, in diversis curiis suis, ac etiam aliis familiaribus magnatum, tam pro terris tenementis redditibus et libertatibus Hospitalis, quam Templariorum, et maxime pro terris Templariorum manutenendis;" specifying pensions to the amount of 440*l.*, of which 60*l.* are paid to the judges, clerks, &c.; the chief baron, Sir Robert de Sadington, receiving 40 marks; besides caps given twice a year to 140 officers of the Exchequer, beginning with the treasurer and ending with the lowest functionary.

A further sum of 60 marks a year is stated to be spent in the employment of a general procurator or attorney, to conduct their business in the different courts; and an annual expenditure of 200 marks in presents made in the courts of the king and the nobles "*pro favore habendo*, et pro placitis defendendis, et expensis parliamentorum."[1]

Although, as we have seen, the statute of 3 Edward I. permitted assizes to be held during the sacred periods of Advent, Septuagesima, and Lent, dispensations were still considered necessary on some occasions before the judges acted. An undated one is quoted by Spelman[2], entitled, "Licentia concess. Justic. Regis de Assis. tenend. sacro tempore non obstante;" by which Richard, Abbot of St. Alban's,

[1] Notes and Queries, ii. 123. [2] Original of the Terms, 95.

grants license and authority to John Shardlow and his companions to hold assizes at Barnet, within his jurisdiction, on the Monday before the Feast of St. Ambrose, according to the effect of the king's writ. As that feast falls on April 4, it probably was in the holy week before Easter in that year; and therefore, as it extended beyond the Statute, required a special dispensation. Spelman suggests that this license was granted in the reign of Edward I.; and says that Shardlow was a justice of oyer in Pickering Forest, Yorkshire, in the beginning of that reign, apparently forgetting that Barnet is in Hertfordshire. There was certainly no regular judge of that name until the reign of Edward III.; and indeed no doubt can arise as to the period when the fact occurred, inasmuch as the only Abbot of St. Alban's whose name was Richard (except the last under Henry VIII.) flourished in the reign of Edward III.; and as the abbot died in May, 1334 [1], and John de Shardelow (who afterwards became chief justice of the King's Bench) did not become a judge till January, 1332, the limit within which this license was dated, is precisely ascertained; and on referring to the table for finding Easter, it will be seen that Easter Day fell upon April 4 (St. Ambrose) in the year 1333 [2]; and that consequently the previous Monday was the first day in Passion Week.

The pleadings in the courts had been hitherto carried on in French. But that language was almost entirely unknown to the people of England, who began with justice to complain that their rights, their liberties, and their lives were subject to laws which they could not understand; and that in their suits with each other, they knew not what was said either for or against them "by their serjeants or other pleaders." No possible advantage arising from the continuance of the

[1] Dugdale's Monast. ii. 197.

[2] Nicolas's Chron. of Hist. 63.

absurd practice, the king was desirous of granting his people a boon by which they would be materially benefited, and he himself lose nothing; and accordingly, by a statute passed at Michaelmas, 36 Edward III., 1362, chap. 15, it was enacted, that from the fifteenth of Hilary then next, all pleas whatever should be pleaded, defended, debated, and judged in the English tongue, but that they should be entered and enrolled in Latin.

An awful pestilence overrun England in 1349, 23 Edward III., and raged so tremendously that the courts did not sit in Trinity Term of that year. The Rolls also of Trinity Term, 35 Edward III., 1361, are wanting on account of a recurrence of the same calamity. The proceedings of the latter term were twice adjourned; at first to the morrow of the Nativity of St. John the Baptist, and then to the octaves of St. Michael.[1]

## Attornati Regis.

From the following list, principally taken from Dugdale, it will be apparent that the king had two advocates at the same time to conduct his business in the courts; one being specially stated to be in the King's Bench, and the other in the Common Pleas. The salary was 10*l.* a year, with occasional gifts from the king. Three are mentioned expressly as being king's serjeants.

I. 1327. Adam de Fyncham, who acted in the last reign, is mentioned as the king's attorney before the King's Bench in this year. He is called Clericus.
Alexander de Hadenham, in the Common Pleas.
William de Mershton, in the Common Pleas; appointed on February 26.

III. 1329. Richard de Aldeburgh, one of the king's serjeants; became a judge of the Common Pleas in 1332.

[1] Cal. Exch. Introd. xlvi. xlvii.; N. Fœdera, iii. 616. 621.

VIII. 1334. Simon de Trewythosa, also a king's serjeant, had twenty marks for prosecuting the king's business in parliament and before the justices of the bench. He died in 1339.[1]

William de Hepton, or Hopton, King's Bench.[2]

XII. 1338. John de Lincoln, in the King's Bench; appointed on May 28, and again mentioned in 1343.

John de Clone, or Clove, in the Common Pleas, on August 4, and again in 1339 and 1343.

William de Merington, "vivente John de Clove."[3]

XVI. 1342. William de Thorpe, a king's serjeant; made justice of the Common Pleas in the same year, and chief justice of the King's Bench in 1346.

XXIII. 1349. Simon de Kegworth, King's Bench, October 12.

XXVII. 1353. ? Henry de Greystoke, afterwards a baron of the Exchequer.

XXX. 1356. John Gaunt, in the Common Pleas. He seems afterwards to have held the "officium proclamatoris in banco regis parcell' officii hostiarii de scaccario."[4]

XXXIV. 1360. Richard de Friseby, May 4.

XXXVI. 1362. William de Pleste, King's Bench.

XXXVII. 1363. William de Nessefield, November 4. He had been the king's escheator in the northern counties.[5] The king, in 1366, gave him 100*l.* for the prosecution of those who killed John de Coupland.[6]

XL. 1366. Thomas de Shardelowe, called clerk, November 9. He acted in the following reign, and was, I believe, the son of the judge.

XLI. 1367. John de Ashwell, May 20.

Michael Skylling, in the Common Pleas.

In the Issue Roll of 44 Edward III., the last three are mentioned. Shardelowe and Skylling are each called the king's attorney, and each has 10*l.* yearly for his fee: Ashwell has a special grant of 10*l.* for his services in prosecuting for the king.[7]

A case occurs in this reign in which the queen's attorney is directed to appear on her behalf before the treasurer and barons of the Exchequer.[8]

[1] Cal. Inquis. p. m., ii. 88.
[2] Cal. Rot. Pat. 119.
[3] Ibid. 134.
[4] Cal. Inquis. p. m., ii. 296.
[5] Abbrev. Rot. Orig. ii. 240. &c.
[6] N. Fœdera, iii. 786. 1045.
[7] Devon's Issue Roll, 336. 364. 426.
[8] Rot. Parl. ii. 410.

Although, as we have already seen, the king's serjeants attended the parliament, we have in this reign the first example of their being specially summoned. Their title was not always designated in the summons, though frequently they were so described; and that a selection only was made may be inferred from the smallness of the number who were so distinguished. Thus, there were two only in 3 Edw. III.; three in the eighth, ninth, and tenth years; two in the twentieth; and four in the nine following years.[1]

The precise nature of their duties there is not clearly ascertained; but, among others, they were required to assist the lords and judges appointed to try the petitions presented. Their names are not stated on the Rolls, but the entry is to the following effect; that the triers named may call to them the chancellor, treasurer, steward, and chamberlain, "*and also the king's serjeants if need be.*"[2]

"A king's serjeant sworn," as we find in stat. 14 Edw. III., c. 16., already cited, might be appointed to act as a judge of assize; and Coke states (2 Inst. 422.) that the expression includes any serjeant-at-law, as all of them are called by the king's writ, and are sworn. Numerous instances are to be found, in the Year Books of this reign, of their being so employed.

## SERJEANTS.

ALL the names in the following list are taken from Dugdale's Chronica Series and Wynne's Serjeant-at-Law, except where other references are given. Those marked * became judges; those marked † are not described as king's serjeants; and those marked ‡ are mentioned in the Year Books as acting with the regular judges as justices of assize, and must therefore have been serjeants.

[1] Manning's Serv. ad legem, 206. [2] Rot. Parl. ii. 268. &c.

| | | |
|---|---|---|
| I. 1327. | John de Denum, | * Gilbert de Toutheby. |
| | Both of these were serjeants in the last reign; and the latter, in 2 Edward III., had 20*l.* a year for his expenses in the king's business. | |
| III. 1329. | * Richard de Aldeburgh, | * John de Cantebrig. |
| IV. 1330. | * John de Trevaignon. | |
| V. 1331. | * William de Denum, | * William de Shareshull. |
| | † John de Munden, | † Richard de Bellishall. |
| | The two latter were stewards of the Abbey of St. Alban's in the beginning of the reign, and are styled Servientes in Banco: and | |
| | † Thomas de Lincoln was a serjeant-at-law in 1331.[1] | |
| VIII. 1334. | * William Scot, | Simon de Trewythosa. |
| | * Robert Parning, | Lucas de Burgh. |
| IX. 1335. | William de Hopton. | |
| XII. 1338. | ‡ Aldred de Doresme, | ——— Spigurnel. |
| XIV. 1340. | * John de Stovard, no doubt Stouford. | |
| XV. 1341. | * William de Thorpe. | |
| XVII. 1343. | ‡ * Thomas de Fencotes. | |
| XVIII. 1344. | ‡ ——— Rokel. | |
| XIX. 1345. | * Robert de Thorpe, | * Thomas de Setone. |
| | * Henry Green. | |
| XX. 1346. | * William de Notton. | |
| XXIV. 1350. | ‡ ——— Burton. | |
| XXVIII. 1354. | * William de Skipwith, | * John de Moubray. |
| XXX. 1356. | † William de Fishide. | |
| XXXI. 1357. | * † John Knyvet. | |
| XXXVI. 1362. | Edmund Chellerey, | * William de Fyncheden. |
| | * William de Wychingham. | |
| XXXVII. 1363. | ‡ ——— Richm. | |
| XL. 1366. | * Robert Bealknap. | † ——— Hillary.[2] |
| | * Roger de Meres, | * † Roger de Kirketon.[2] |
| | * † John de Cavendish,[2] | † ——— Moris.[2] |
| | † John de Fencotes,[2] | † Gillardus de Ufflete.[2] |
| XLIV. 1370. | * Roger de Fulthorpe, | * Henry de Percehay. |
| XLV. 1371. | ‡ ——— Wakbruge. | |
| XLIX. 1375. | ‡ Walter Persey, | ‡ * David Hannemere. |
| LI. 1377. | * John Holt. | |

The term *Serjeant* was sometimes applied to freeholders, who, holding by military service, were bound to *serve* as

[1] Newcome's St. Alban's, 218. 223. [2] Year Book, 40 Edw. III.

men-at-arms, though not knighted, and in most cases not holding so much land as to raise the obligation of accepting knighthood. That they then held the next degree to knights appears from two cases in the Year Books, 22 Edward III., p. 18., and 26 Edward III., p. 57., in the latter of which, in the failure of four on the grand assize, the "moultz vaillantz seriantz" are directed to be chosen knights. Such "serjeants and men of the law" are brought into distinct contrast in the ordinance of 46 Edward III., which prohibits the election of *men of law* as knights of the shire in parliament, and directs that knights and *serjeants* of the most value in the county shall be returned.

This ordinance is stated in the preamble to have been occasioned by "men of law, who pursue divers businesses in the king's courts, for private persons," causing petitions to be presented in parliament "in the name of the Commons, which in nothing touches them, but only the private persons with whom they are retained." But why was the prohibition limited to their election as knights of shires? Might they not be guilty of the same abuse if they were members for cities, &c.?

These serjeants frequently becoming esquires to the knights, the term esquire began about this time to supersede the inferior title of serjeant, and to be adopted by those who were not entitled to it by service in that character.[1]

There can be no doubt that the apprentices of the law were, in fact, attorneys for their clients, representing them in the courts. In 11 Edward III., John de Codington, "an apprentice of our lord the king, and attorney," presented a petition to the parliament, complaining that, having neither lands nor tenements, nor arms for peace or war, he had been commanded to come armed to Orewell, on pain of death;

[1] Serv. ad legem, 192, 193.; Rot. Parl. ii. 310.; Titles of Honour, 832.

"which," he says, "would be in disherison of his clients, for whom he is attorney;" whereupon he was excused.[1]

This John de Codington was, perhaps, an apprentice in one of those establishments which we now call the Inns of Court, or Chancery; for we find him, in 25 Edward III., clerk of the Parliament; and, in the thirty-third year, one of the masters of the Chancery.

That there were apprentices of different degrees we learn from the capitation tax, imposed two years after King Edward's death. There we find that the same rate, forty shillings, is charged upon "chescun serjeant, et grant Apprentice du Loy;" that "other apprentices who pursue the law" are to pay twenty shillings; and that a rate of only six shillings and eightpence is made on "all the other apprentices of less estate, and attorneys."[2]

Apprentices certainly acted as advocates in the court from the commencement of the reign; for in Trinity Term of 1 Edward III. the Year Book reports a case (Pl. 3.) in which "un apprentice demanda:" and it would appear, from another case in the same term (Pl. 10.), that either an attorney was then synonymous with apprentice, or that attorneys might plead in court; for we find "un attorney dit," and Justice Stonore deciding on his application.

## COUNSEL.

THE Year Books supply the following names of counsel, acting in the courts: they include serjeants; and the added initials show the courts to which those who became judges were first advanced.

| | | |
|---|---|---|
| Aldeburgh, C. P., | Ashbourne, | Basset, C. P., |
| Anar, | T. Bacon, C. P., | Bedel, |
| Asch, Assh, Aish, B. E., | Bankes, | Becley, |

[1] Rot. Parl. ii. 96.

[2] Ibid. iii. 58.

Bereford, Just. Itin.,
Berl,
Birc,
Blaike,
Blaiston, B. E.,
Bours,
Brand,
Brett,
Burgh,
Burton,
Camcer,
Cantebrig, Caunt, C. P.,
Casse,
Cavendish, C. P.,
Chelring, Chellerey,
Chust,
Claimond, Clom.,
Clopton,
Collett,
Derworth,
Desty,
Devom, ? Denum, B. E.,
Digg,
Aldred de Doresme,
Douers,
Eccles,
Elmer,
Essonour,
Estham,
J. Fencotes,
T. Fencotes, C. P.,
Fiffe,
Fishe, Fishide,
Fitz-John,
Fulthorpe, C. P.,
Fyng, Fyncheden, C. P.,
Gaign, Gayne,
Gasc,
Gleit,
Goddel,
Gotham,
Gower,
H. Green, C. P.,
R. Green,
Gurnay,
Hallop, Halop,
Haln,
Hamton,
Hannemere, B. E,
Hanington, Haverington,
Hastings,
Hatch,
Haul, Hauley, Hauld,
Hepper, Heppescotes, C. P.,
R. Hillary, C. P.,
Hillary,
Holt, C. P.,
Honnington,
Hoo,
Hoop, Hopton,
Horneby,
Hug,
Huini,
Hunden,
Husse, ? Huse, B. E.,
Hut,
Ingham,
Ingelby, K. B.,
Jukemp,
Kary,
Kelby,
Kell, Kels, Kelleshull, C. P.,
Kirby,
Kirton, Kirketon, C. P.,
Knyvet, C. P.,
Laising,
Laund,
Led,
Leic,
Leuc,
Lincoln,
Lodelow, Leod, Lud, Loding, Ch. B. E.,
Loveday,
Mallom,
Malmer,
Middleton,
Mombray, Moubray, C. P.,
Moris,
Motelow, Mutlow, C. P.,
Mottel,
Moyn,
Notton, K. B.,
Palm,
Parning, Parn, Parner, Ch. K. B.,
Peng,
Penros,
Percy, Parshay, B. E.,
Perle,
Plegh, Pleste,
Poer, Power,
Pointon,
Pole,
Pultone,
Rede, Redenhale,
Richm,
Ripp,
Riss,
Rob,
Rockel,
Rolf,
Roull,
Russel,
Sading, Sadington, Ch. B. E.,
Sadling, Sadel, Sadlingstanes,
Sand,
Sauk,
Scharde, Shardelowe, C. P.,
Scorb. Scord. Scardeburb, B. E.,
Scott, C. P.,
Scrope,

Sell. Shelbie,
Setone, K. B.,
Sidenham,
Skipwith, C. P.,
Skylling,
Smet,
Somers,
Standf,
Stouford, Stouff, Stonford, C. P.,
Stourbugh,
Stret,
Strod,
Sudb,
Suer,
Suss,
Tank, Ch. B. E.
Thirning, C. P.,
R. Thorpe, Ch. C. P.,
W. Thorpe, C. P.,
Tond, Toutheby, Just. Itin.,
Tours,
Traus, Travers, C. P.,
Tremayn, Trem,
Trench,
Tressillian, K. B.,
Trevaign, Trevaignon, C. P.,
Trever. Trewythosa,
Trewood, Treu,
Ufflete,
Wad,
Whishaw,
Wich. Wichingham, C. P.,
Wikwood,
Wilby, Wilughby, C. P.,
Will, Wilt.
Wolf,
Worth,
Yong.

From the time when Henry III. prohibited the continuance of schools in London for the study of the law in 1235[1], there is a total silence among historians, till the present reign, as to the places where, and the manner in which, that study was pursued. Although it is the fashion to attribute to the reign of Edward III. the institution of the several inns of Court, it is to be lamented that legal antiquaries have given us nothing but tradition as the ground-work of that hypothesis; and have left us ignorant, not only of their original constitution, but of the precise distinction between them and the now-called inns of Chancery. These learned authors seem to have taken for granted, that the system they found in their own day had existed from the beginning, that the same connection had always prevailed, and that the dependence of the one on the other had experienced no variation. It would, perhaps, be useless to hope for a recovery of those evidences which their neglect has tended to destroy; and it would be certainly presumptuous wholly to discard the traditions they have handed down to us; but it will not be an uninteresting inquiry to examine how far the proofs that remain support the traditions we have received.

[1] See vol. ii. p. 201.

Fortescue, in his work "De Laudibus Legum Angliæ," gives the earliest definite account of the schools for the study of the law. He says, there were "*ten* lesser inns, and sometimes more, which are called *inns of Chancery*, where the students study the very first principles of the law; and after they have made some progress there, they are admitted into the *inns of Court*, properly so called, of which there are *four* in number."[1] He then speaks in eulogistic terms of the exercises in these schools; but is wholly silent as to their history, constitution, or even their names.

We have thus a certain proof of the existence of these seminaries, distinguished as inns of Court and Chancery, in Fortescue's time; and as his work was written between the years 1460 and 1470, an interval of nearly 150 years had then elapsed since the accession of Edward III., in whose reign tradition fixes their establishment; with a further period of something less than 100 years since the prohibition, in 1235, of law schools *in the city of London.*

Whatever was the real object of that prohibition, with regard to which writers differ, its operation, if intended to be general, was not likely to be of long continuance. The study of that science which was in daily exercise, a proficiency in which was not to be attained without considerable labour, and for the professors of which there was a continual demand, was a matter of absolute necessity. No royal mandate could prevent individuals from pursuing it, nor put an effectual check on their associating together for the purpose. If the prohibition was intended to be general, the probability is that it was silently allowed to become a dead letter; but the result would seem rather to prove that the interpretation was confined to its literal language; since not one of the inns of Court or Chancery which were subsequently established was situ-

ated *within the city of London*, but beyond the walls, as they then existed. The traditionary inns of Court mentioned by Dugdale, in Dowgate, Fewter Lane, and Paternoster Row, may probably have been among those which were suppressed by the prohibitory mandate.

That during the hundred years before the accession of Edward III. there were some establishments for the reception of law students, no one will venture to dispute. They were probably of gradual formation; and as it is admitted that they were all voluntary societies, they were not likely at first to be ruled by any very defined system of laws. The term *apprenticii*, introduced into the mandate of Edward I., and the reference to that class in the Year Book of 1 Edward III., plainly presuppose both a place and a means of learning, as well as a degree recognised in the courts. An inference that these apprentices were congregated in hostels or inns, and that they discussed legal questions there, may be also drawn from the fact that Wilughby and Skipwith, who were judges in the argument of a case in 29 Edward III., stated that they had heard a certain exception taken "amongst the apprentices in hostels."[1]

It must not be supposed, however, that the French word *hostel*, nor the English word *inn*, nor the Latin word *hospitium*, was confined in its meaning to a place at which the study of the law was pursued. Its simple signification was, the mansion or residence of an individual or a family; and in that sense the word was used at that time in each language, both in common parlance, and in the records of the country. In France we find the same meaning still attached to the word; and in most of the English inns of Court and Chancery, the name of the family to whom they belonged is still perpetuated: Lincoln's Inn; Gray's Inn; Clifford's Inn; Thavie's Inn; Furnival's Inn; Barnard's Inn.

[1] Year Book, Mich. 29 Edw. III., 47 b.

The four inns of Court referred to by Fortescue all writers agree to be the same as those now existing; viz. Lincoln's Inn, the two Temples, and Gray's Inn; but, notwithstanding the tradition, there is no proof of their establishment in the reign of Edward III.; while some evidence does exist that two of the smaller inns were then inhabited by students of the law.

The ten smaller inns Fortescue explicitly states to be "between London and Westminster," "in the suburbs;" and Dugdale, who wrote 200 years after him, thinks that only two of these remained in his time, viz. Clifford's Inn and Thavie's Inn, out of the eight which then existed. The other six enumerated by Dugdale are Clement's Inn, Lyon's Inn, New Inn, Furnival's Inn, Staple Inn, and Barnard's Inn; but his own account of some of them would seem to contradict the exclusion from those referred to by Fortescue.

Thus it is certain that two of the lesser inns, existing in Fortescue's time, no longer remain; and it appears from his description, that the number of these establishments was not subject to any limitation, as he says there were "sometimes more" than the ten to which he refers. It may therefore be presumed that the number of inns depended upon the fluctuation in the number of students; and that when one establishment was full, new accommodation for those resorting to the study was found in another locality. Fortescue enables us to approach the number of students in his time. He says, that there were two hundred in the least frequented of the four inns of Court, and in each of the ten lesser inns "an hundred students at the least," making an aggregate, therefore, of little less than 2000 students.

In the absence of any definite explanation as to the origin of the distinction between the four greater and the ten lesser inns, and of the assumption of authority by the former over the latter, we may very reasonably suppose that it arose from the fact, that each of the four greater inns, occupying a far

more extensive area, and accommodating a far greater number of students, than any of the lesser inns, would gradually acquire an ascendancy over them. Incipient candidates for legal honours would thus naturally seek admission into these more popular societies; and, being for a time excluded by their crowded state, would be compelled to resort to some of the lesser inns, until space was afforded for their admission into the principal house. Thus, those smaller inns, which were in the immediate neighbourhood of the several larger inns, may be easily supposed to have become connected with them;—acting as a sort of nursery, before an advance to the greater school. Thus, Furnival's Inn, and Thavie's Inn, were in connection with Lincoln's Inn; Clifford's Inn, Lyon's Inn, and Clement's Inn, with the Inner Temple; New Inn, with the Middle Temple; and Staple Inn, and Barnard's Inn, with Gray's Inn.

It is not difficult, then, to see that the granting of the different degrees in law would be gradually assumed by, and recognised in, the four greater houses. The precise time when this occurred, it is now impossible to fix; but that it was not always so, we have some evidence in the fact, that in the reign of Henry IV. a member of Clifford's Inn was called to the degree of serjeant from that inn, in which he must, of course, have been previously an apprentice, or what is now called a barrister.[1]

The ultimate establishment of this separation between the two classes of houses,—this division, as it were, between school and college,—rendered some distinctive appellation necessary to each class: and the adoption of the name of inns of Court for one class, and of inns of Chancery for the other, was probably the consequence. The latter were so called, not, as Dugdale suggests, "because they were antiently

[1] Pearce's Inns of Court, 261.

hospicia for the clerks of the Chancery," for that appears by no means to have been the fact, but on account of the studies pursued there. These, Fortescue says, were "*Originalia*, et quasi legis elementa." Now all the original and judicial writs were prepared in the Chancery, and as they formed the elements of the study, it was but natural that the place in which those elements were taught should be called from the department in which they were concocted. The title, inns of Court, in contradistinction to inns of Chancery, was, no doubt, assumed as a superior one; as in process of time from them only were selected the advocates who were authorised to plead in the several courts of justice.

There is no evidence, however, tending to show that this distinction between the two classes of houses had any existence in the reign of Edward III.; and in giving an account of the only two establishments which are proved by documentary testimony to have been founded during the fifty years of its continuance; viz., Clifford's Inn and Thavie's Inn, the former now dependant upon the Inner Temple, and the latter till lately upon Lincoln's Inn; it will be found that the institution of neither exhibits any symptom of an original connection with the larger bodies, or as being subordinate to any of them.

Deferring the history of each house until the reign in which we have indisputable evidence of its existence as a receptacle for students, we shall content ourselves under this and the intervening reigns with noticing the traditions which attach to the other establishments, and the proofs that have been adduced with reference to them.

LINCOLN'S INN is considered the most ancient of our legal seminaries, and is supposed to have been so occupied even previous to this reign. Dugdale says, that "the tradition is still current among the antients here, that Henry, Earl of Lincoln, about the beginning of Edward the Second's time,

being a person well affected to the knowledge of the laws, first brought in the professors of that honourable and necessary study to settle in this place." This being all we have relative to this inn as an inn of Court, till the reign of Henry VI.,—an interval of more than 100 years,—we may be excused for not wholly relying on such an authority; the more especially, when we know that the property belonged to the bishops of Chichester, that the Earl of Lincoln was only a tenant of it, that he died in the mansion in 1312, the fifth year of the reign of Edward II., and that no other of his name ever afterwards resided in it; and when we have some evidence also to show that the bishops, after the earl's death, resumed their occupation of the mansion.

THE TEMPLE was granted by King Edward III. to the Knights Hospitallers of St. John of Jerusalem, who, says Dugdale, "soon after (as the tradition is) demised the same, for the rent of 10*l.* per annum, unto divers professors of the Common Law, that came from Thavye's Inne in Holburne." He admits, that for this "there is nothing but tradition left to us;" but "that they were here seated in King Edward the Third's time is out of all doubt," he broadly asserts, adducing, as testimony, Chaucer's description of the Manciple. This, however, having more probably been written in the time of Richard II., we shall reserve our remarks on it till that reign.

In Dugdale's account, it will be seen that no definite date is given for the entry of law students into the Temple; and to the tradition as to their having removed from Thavie's Inn, there seems a sufficient contradiction in the fact, that the latter had students of its own long after the time suggested, and that the inn of Court with which it was connected was not either of the Temples, but Lincoln's Inn.

GRAY'S INN is the fourth inn of Court, but "when it became a mansion for students of the law," Dugdale says, "is a

question that I cannot directly resolve." To this he adds, that "there is not only a tradition amongst the antients of this society, but a positive assertion by John Stow * * that the students of the law held this house by lease from the Lord Grays of Wilton, in King Edward the Third's time." Now, the positive assertion even of Stow, living nearly 200 years after the time, though aided by that of his contemporary Mr. St. Low Kniveton, can only be received as evidence of tradition, unless they produce some document to support it. Not only is such a record wanting, but the earliest adduced by Dugdale, that has the slightest semblance of an application to the point, is dated as late as the reign of Henry VII. The evidence of Fortescue, however, although he does not name the four inns of Court,—and of some further facts which we shall advance in their proper place, may be taken as demonstrative of Gray's Inn having been occupied by students of the law, certainly as early as the reign of Henry VI., and probably before.

There is, indeed, a manuscript in the British Museum (Harl. Coll., No. 1912.), which carries back the origin of this house, as a legal establishment, to the time of Edward III., the writer supporting his assertion by an argument founded on the difference between the words "messuagium" and "hospitium" applied to it at two different periods, which it is not necessary here to refute. This manuscript was written by a butler of the house in 1676; and as far as it collects the authentic records connected with it, and details its documentary history from its books, is a very valuable compendium. But, not satisfied with this, although none of those books commence earlier than the reign of Henry VIII., and though he gives no prior date to any of the other officers of the establishment, he introduces a list of Readers for nearly two hundred previous years; or, rather, a selection of fourteen of them to cover the whole of that period, bearing such

palpable proofs of invention, that an apocryphal character is thrown over the whole composition.

CLIFFORD'S INN is the first house of which we have any distinct memorial, as occupied by students of the law; the lease to them having been granted in 1344, 18 Edward III. It derives the name from the noble family to which it at that time belonged, and is situate on the north side of Fleet Street, being described in the records as "Messuagium illud cum pertinentiis juxta ecclesiam Sancti Dunstani West, in suburbio Londini."

At the death of Malcolm de Harley the property had been seized into the hands of Edward I., on account of certain debts due to the crown during the time he was escheator south of Trent. John de Britannia, Earl of Richmond, afterwards held it at the king's pleasure: but on February 24, 1310, Edward II. made a grant of it to Robert de Clifford, to be held by him and his heirs by the service of one penny annually; with a proviso, that if the king or his successors should restore the premises to Malcolm de Harley, or his heirs, the said Clifford and his heirs should be indemnified.[1] This Robert de Clifford died in 1314, and his eldest son, Roger, in 1321. Another son, Robert, then succeeded, and died in 1344, 18 Edward III. It appears by the inquisition taken after his death, that Robert's widow, Isabella, demised it in the same year to the apprentices of the bench, "apprenticiis de banco," at an annual rent of 10*l.*[2]: and it is a curious fact that in the following year, November 27, 1345, the custody of this messuage, "vocati Hospicium de Clyfford," was granted by the king to David de Wollore, to hold during the minority of the heir.[3]

As David de Wollore was then or soon afterwards keeper

[1] Rot. Pat. 3 Edw. II., m. 19.

[2] Inquis. p. m. ii. 118.

[3] Rot. Pat. 19 Edw. III., p. 3. m. 3. I am indebted to Mr. Thoma Duffus Hardy for the obliging communication of this record.

of the Rolls, and, as such, the head of the clerks of the Chancery, it might be inferred that this grant was in the nature of a confirmation of the demise of Isabella de Clifford to the apprentices of the bench, or in some way connected with it. The language of the grant, however, does not justify the supposition, nor does a word occur in it showing that it had any relation whatever to his office; his official character, if he then had one, not being even mentioned. It appears rather to have been a mere personal gift, in precisely the same form as those which in that age were ordinarily made by the sovereign to his favourites and courtiers, for services rendered or expected, by which the issues and profits of the lands of the king's tenants, dying with infant heirs, were entrusted to the grantees pending the minority. Here the consideration is distinctly stated to be "pro bono et gratuitu servicio quod dilectus clericus noster David de Wollore nobis impendit." The grantee's power over the property ceased as soon as the heir, on attaining his majority, was admitted into possession.

That this was so with regard to Clifford's Inn appears from a release to Roger de Clifford, the son of Robert and Isabella, by Sir Robert de Herle, of all his right and claim in the premises. Robert de Herle was a descendant from Malcolm de Harley (the name was spelt both ways); and the instrument had no doubt a reference to the proviso in the original grant, and gave up all right to redeem the property as heir of the escheator. It must have been dated between 1357, when Roger came of age, and 1390, when he died.

The term of Isabella de Clifford's demise to the students is not mentioned; but the tenancy was continued by subsequent leases until March 29, 1618, when the Cliffords, for a consideration of 600*l.*, granted the property in *fee farm* to Nicholas Sulyard, the principal of the house, and other members, at a rent of 4*l.* per annum.

This house is now what is called an inn of Chancery; but how soon after its first institution it received that designation, or why it was given, is by no means clear, especially adverting to the fact that the earliest legal tenants were apprentices *of the bench.* Its connection with the Inner Temple must have commenced at a later date than the reign of Edward III. How it originated, and what was its extent, is still to be discovered; but that it had reference rather to the course of study pursued, than to any control over its government, appears probable from the result of an application made by Mr. Jessopp to the Court of King's Bench in Hilary Term, 1834. He complained of the election of Mr. Allen as principal of this inn, and applied for a mandamus commanding that gentleman to attend before the masters of the bench of the Inner Temple, to enable them to decide upon the validity of his election. Mr. Allen denied that that body had any jurisdiction over Clifford's Inn, and swore to his belief that the latter was of earlier origin than, and had never been subservient to, the former; and that the Inner Temple claimed no such jurisdiction. Lord Denman and the rest of the court refused the application on the express ground that no single instance had been brought forward in which the benchers of the Inner Temple had exercised such an authority.[1]

THAVIE'S INN is another house, the establishment of which, as a legal seminary, belongs undoubtedly to the reign of Edward III. Its history affords a curious example of the careless manner in which Dugdale sometimes compiled his works. In p. 143. of his Origines Juridiciales he gives an extract from the Fine Rolls of 11 Edward III., recording a grant made by the king to Thomas de Elingham and Robert de Kettleseye, *two clerks of his Chancery,* of certain houses in the parish of St. Andrew, Holborn, in the suburbs of

[1] Rex v. Allen, 5 B. & A. 984.; Legal Observer, vii. 340.

London, late of John Travers, deceased; and he then goes on to remark, "And if that inne of Chancery, situate near St. Andrew's Church, in Holburne, now called Davie's or Thavie's Inne, be the same which is mentioned in the Fine Rolls of 11 Edward III. (as some judicious persons do think it is), considering the little difference betwixt *Travers* and *Thavye* in pronunciation, it [viz., the reason why they are called Innes of Chancery] will then be out of doubt."

In p. 271. of the same work, however, without any reference to the above suggestion, he states that students of law were resident in this (Thavie's) inn, in the time of Edward III.; and that it took its name from John Tavie, to whom it belonged, and who by his will (23 Edward III.) gave all his tenements "in parte australi," in the parish of St. Andrew's, to his wife Alicia for life; and after her death, "totum illud Hospicium, in quo apprenticii ad legem *habitare solebant*," to be sold, and to endow a chaplain for his and his wife's souls with the proceeds.

Now here Dugdale gives two contradictory origins to the house, and overturns, by the latter significant fact, the former suggested etymology of the name. It is impossible not to admire the labours of that indefatigable writer. Looking at the extent and the nature of his works, his unwearied industry is most surprising, and the utility of his voluminous collections no one can deny. It is scarcely to be expected, where documents so multitudinous come under his treatment, that the most careful attention will always avoid mistakes; and the grateful reader will be ready to make allowances for those oversights, which he must be conscious he is himself so likely to commit.

Although, therefore, we cannot but adopt the derivation of the name of Thavie's Inn from John Tavie, and discard that from John Travers, it does not follow that the houses of the latter did not form part of the premises comprehended in

the inn. The grant to the clerks of the Chancery in 11 Edward III. may or may not have been for the use of students of the law; it is wholly silent on the subject; but its term was only "while the houses remained in the king's hands, on account of the debts of John Travers." These debts his executors may have paid, and thus redeemed the houses; and then they may have sold them to John Tavie, who may have accepted the tenancy of the apprentices of the law, to whose use the Chancery clerks may possibly have previously devoted them. However this may be, it is manifest that "apprenticii ad legem" were accustomed to dwell there before the twenty-third year of Edward III. We have no record of what was actually done with the "Hospicium" on the death of Alicia, the widow of John Tavie; but whatever became of the freehold, there is no doubt that the apprentices continued the occupation. The purchase of the premises by the benchers of Lincoln's Inn will be noticed in the reign of Edward VI.

If we were to accept Shakspeare as an historical authority, we should be bound to place CLEMENT'S INN also as a receptacle for students of the law in the reign of Edward III. In the second part of the play of Henry IV., Justice Shallow says —

"I was once of Clement's Inn; where, I think, they will talk of mad Shallow yet;"

and Cousin Silence afterwards reminds him, —

"That's fifty-five year ago."

This would fix the period in Edward's reign; but, as we have no other evidence of the fact, we can only receive the bard's description of the "mad days" of the "swinge-bucklers" and the "bona-robas," and his allusion to "Sir Dagonet in Arthur's Show," as pictures of his own age, illustrating the

practices and manners which he himself had witnessed among the young students.

The Year Books of this reign are in four parts: the first comprehends the ten earliest years; the second extends from the seventeenth to the thirty-ninth, omitting the nineteenth, twentieth, and thirty-first to thirty-seventh inclusive; the third proceeds from the fortieth to the last year of the reign; each of them wanting some terms; and the fourth is called "Le Liver des Assises et Plees del Corone moves et dependaunt devant les Justices, ci bien en lour Circuits come aylours;" including the whole of the reign.

In the second and third centuries of David Jenkins's Reports are to be found cases in most of the years up to the forty-seventh; omitting, however, those of fourteen of those years; viz., 4, 5, 6, 8, 10, 11, 12, 16, 18, 25, 31, 32, 37, and 38 Edward III.

To Keilway's Reports of the times of Henry VII., Henry VIII., and Elizabeth, are added fifty-five cases in Itinere of this reign, which were dated between the 1st and 47th years.

William Benloe reports a case in 32 Edward III. before the justices of assize in Suffolk.

The "State Trials" contain the proceedings against Roger Mortimer, Earl of March; Thomas de Berkele; and John de Stratford, Archbishop of Canterbury; principally extracted from the Rolls of Parliament.

A remarkable trial occurred in the thirtieth year of this reign, in which Thomas Lyld, Bishop of Ely, was charged with the murder of a servant of Blanche Wake, the daughter of the Earl of Lancaster. Of this he was acquitted, but was found guilty of knowingly receiving the murderer after the crime. Solemnly denying the charge, the bishop appealed to the pope, who summoned his judges William de Shareshull, William de Thorpe, Henry Green, William

Notton, and Simon Drayton[1], to appear at the papal court; and, on their disobeying the citation, pronounced sentence of excommunication against them, followed by an interdict over their property. The king, though greatly annoyed, was obliged to take measures to satisfy the pontiff. The timely death of the bishop, however, facilitated the accommodation.[2]

[1] Probably a serjeant added to the commission.

[2] Godwin de Præsul. 263.; Angl. Sac. i. 44

# BIOGRAPHICAL NOTICES

OF

# THE JUDGES UNDER THE REIGN OF EDWARD III.

## ALDEBURGH, RICHARD DE.

Just. C. P. 1332.

Aldeburgh (Aldborough), in Yorkshire, was the place from which Richard de Aldeburgh derived his name. He had a grant of lands there in 12 Edw. II., and seven years afterwards purchased the manor of Hundeburton and property in Mildeby, both in the same county.[1] In 14 Edward II. he was one of the commissioners to inquire as to the men of Ripon having refused to raise 1000 marks which they had promised to pay to the Scots for the preservation of their city, and having allowed the hostages who were security for the money to remain unredeemed in prison.[2]

Richard de Aldeburgh is frequently mentioned as a counsel in the Year Books of Edward II., and the first five years of Edward III. In the third year of the latter reign he acted as the king's attorney in the pleas of quo warranto at Northampton; and in the same year he is noticed as one of the king's serjeants. In the fifth year he was a commissioner for preserving the peace between England and Scotland[3]; and on February 3, 1332, 6 Edward III., he was constituted a judge of the Common Pleas. Dugdale

[1] Abbrev. Rot. Orig. i. 245. 293.

[2] N. Fœdera, ii. 437.

[3] Ibid. ii. 809.

introduces two other patents, conferring on him the same office, dated November 19, 1333, and January 8, 1341[1]; but I presume, that as on these days new chiefs of the court were appointed, these were merely formal re-nominations without any intervening retirement; especially as Dugdale does not record any break in the fines levied before him. These are stated to terminate at Michaelmas, 14 Edward III., 1340; in which year he had a licence to enclose one hundred acres of land in Rigton in Whernedale.[2]

He received the order of knighthood when he was raised to the bench in 6 Edward III.[3] No document remains showing the date of his death; but he is mentioned as the head of a judicial commission in Yorkshire as late as May 20, 1343.[4]

## ALLERTHORPE, LAURENCE.

B. E. 1375.

*See* under the Reign of Richard II.

## ASHE, ALAN DE.

B. E. 1346.

An advocate of this name is noticed in the Year Books of the early part of the reign. He was made a baron of the Exchequer on July 2, 1346, 18 Edward III., and he had his robes in 21 Edward III.[5]; but beyond that date all the published records are silent about him.

An Adam de Assh appears connected with the Exchequer in 44 Edward III.[6]

[1] Cal. Rot. Pat. 114. 117. 119. 138.
[2] Ibid. 137.
[3] Dugdale's Orig. 45. 102.
[4] N. Fœdera, ii. 1225.
[5] Abbrev. Rot. Orig. ii. 192.
[6] Issue Roll, 44 Edw. III., 289.

## ASTY, HENRY DE.

CH. B. E. 1375.

*See* under the Reign of Richard II.

## AUNGERVILLE. *See* R. DE BURY.

## AYLESTON, ROBERT DE, ARCHDEACON OF BERKS.

B. E. 1330.

*See* under the Reign of Edward II.

IN the parliament held at York in November, 1322, 16 Edward II., Master Robert de Ayleston, then canon of Salisbury, was one of the procurators for the bishop of that see. In the following year he was keeper of the Privy Seal, and was employed in various counties to try the sheriffs and others accused of malversation and oppression. On May 21, 1323, he was nominated a baron of the Exchequer; and on July 18, 1326, was sworn in as chancellor of the Exchequer, by which he seems to have vacated his former seat on the bench, as he was not among the barons appointed in the following January on the accession of Edward III.

In the fourth year of that reign, however, he resumed his place as a baron, on December 20, 1330, having in the preceding August been collated to the archdeaconry of Berks. He again vacated his seat on the bench on being constituted treasurer on March 29, 1332; and while he held that office the king made an unsuccessful application to the pope to procure his nomination to the vacant bishoprick of St. Andrew's. He continued treasurer till February 3, 1334. There is no other trace of his death than is afforded by the appointment of his successor in the archdeaconry in September, 1338, 12 Edward III.[1]

[1] Parl. Writs, ii. P. ii. 428.; Dugdale; Le Neve, 279.; N. Fœdera, ii. 847. 866.

## BACON, THOMAS.

Just. C. P. 1329. Just. K. B. 1332.

That Thomas Bacon was of the same family as that from which Sir Nicholas Bacon and Lord Verulam sprang, there can be little doubt, although it is not in our power to trace the pedigree distinctly. In 9 Edward II., 1316, he was certified as holding property in Stiffkey, Baconsthorpe, and other places in Norfolk, which formed part of the possessions of those eminent individuals. He was perhaps the Thomas Bacon, son of Sir Roger Bacon of Baconsthorpe, on whom that knight settled lands in Isbenham, &c. on his marriage with Johanna, daughter of Roger de Antringham, in 8 Edward III.; but the Bacons were even then so numerous, that the different branches can scarcely be distinguished.

Thomas is named in the Year Books of Edward III. both before and after he was a judge. He was raised to that dignity in the Common Pleas on September 30, 1329, 3 Edward III., and received the honour of knighthood. He was removed into the King's Bench on January 28, 1332, in the sixth year, in the parliament of which he was one of the triers of petitions; being also appointed to tallage his native county. We do not find any entry of his exercising his judicial functions after 10 Edward III., 1336; but if he were the son of Sir Roger, as above suggested, he was still alive in 1359.[1]

## BANKWELL or BAUKWELL, ROGER DE.

Just. K. B. 1341.

This name is spelled both these ways; and Roger de Bankwell was most probably of the family, perhaps a

[1] Parl. Writs, ii. P. ii. 303.; Dugdale's Orig. 102.; and Chron. Series.; Rot. Parl. ii. 68. 447.; Abbrev. Rot. Orig ii. 99. 109. I am indebted to Thomas Bond, Esq., of the Inner Temple, for valuable facts most kindly communicated on the subject of this and other families.

younger son, of John de Bankwell, baron of the Exchequer under Edward II. Roger is noticed as an advocate in the early part of the reign of Edward III. In the sixth year he was employed to tallage the counties of Nottingham and Derby[1]; and from his being assigned in 14 Edward III. to inquire into a conflagration at Spondon in the latter county[2], it would seem probable that he was settled there; the more especially as Sir Godfrey Foljambe, one of his associates in that inquiry, many years afterwards gave a messuage and land to a clergyman named Roger de Bankwell[3], who, it may be presumed, was this Roger's son.

He was constituted a judge of the King's Bench before Easter in 15 Edward III., 1341, and was a trier of petitions in the parliaments held from that date till Hilary in the twenty-first year.[4] He is mentioned in the Year Books as late as 23 Edward III.

BARNSTAPLE, ARCHDEACON OF. *See* W. DE MELTON.

## BASSET, WILLIAM.

JUST. C. P. 1337. JUST. K. B. 1341.

I DO not know to which of the numerous branches of the family of Basset this William Basset belongs, but he was apparently a native of Staffordshire. He was an advocate in the reign of Edward II., and in the first ten years of that of Edward III. In the latter of these or the beginning of the eleventh year, 1337, he was raised to the bench of the Common Pleas, and fines began to be levied before him on the octave of St. Hilary in that year. When the king, in December, 1340, dismissed some of his brethren for malpractices, he escaped, and was comprehended in the new patent issued on January 8, 1341. On October 28 he ex-

[1] Rot. Parl. ii. 447.
[2] N. Fœdera, ii. 1133.
[3] Abbrev. Rot. Orig. ii. 286.
[4] Rot. Parl. ii. 126—164.

changed his court for that of the King's Bench, where he remained certainly till Hilary, 21 Edward III., he being one of the triers of petitions in the parliament then assembled, and probably till 24 Edward III., his name occurring up to that date in the Year Book and book of assizes of that reign.[1]

## BAUKWELL. *See* R. DE BANKWELL.

## BAUMBURGH, THOMAS DE.

? KEEPER, 1332.

AMONG the clerks or masters in Chancery mentioned from 1 to 14 Edward III., is Thomas de Baumburgh (Bamborough), so named from that place in Northumberland, where he had property. He seems to have been an especial favourite with the king, who presented him with the church of Emildon, and made him various beneficial grants of lands in that county.[2] He acted as keeper of the Great Seal on several occasions;—during the chancellorship of John de Stratford, from April 1 to June 23, 1332, and from January 13 to February 17, 1334; during that of Richard de Bynteworth, Bishop of London, from July 6 to 19, 1336; and, on the death of that prelate, from December 8, 1339, to February 16, 1340, while there was no chancellor.[3] In the latter year, 14 Edward III., he was one of the receivers of the petitions to parliament[4], and probably died soon after, as he is not subsequently named.

## BAYNARD, ROBERT.

JUST. K. B. 1328.

ROBERT BAYNARD was the son of Fulco Baynard, a justice itinerant in the reign of Henry III., who died at a very

[1] Gent.'s Mag., Aug. 1813.; Dugdale's Orig. 45.; Rot. Parl. ii. 164.
[2] Rot. Parl. ii. 22.; Cal. Inquis. p. m., ii. 53.; Abbrev. Rot. Orig. ii. 27. 75. 79.; Cal. Rot. Pat. 118.
[3] Hardy's Catal. 31—33.
[4] Rot. Parl. ii. 68. 112.

advanced age in 1305, 33 Edward I.[1] Robert, so early as 18 Edward I., was returned as knight of the shire for Norfolk, and represented that county in the parliaments of 2, 8, 9, 14, 15, 19, and 20 Edward II.[2] In 5 Edward II. the custody of Norfolk was committed to him[3], and in the two following years he was among the magnates who were specially summoned to parliament. Several of these were not barons, and were never afterwards summoned; and he, in all the subsequent entries, is merely called "Miles." He was one of the conservators of the peace for the county, and was employed as a commissioner of array, and in assessing the various grants made by the parliament. To him also was intrusted the custody of the bishoprick of Durham, in 1311, on the death of Anthony Bek; but we do not find that during that reign he was engaged in any other legal duties than those which usually devolved on country gentlemen in their own districts; nor does his name appear at all in the Year Books.

On the accession, however, of Edward III., he was appointed, according to Dugdale, a judge of the King's Bench[4]; and it is curious that the writ directing the payment of his expenses as knight of the shire, in the parliament of the preceding January, is dated on March 9, 1327, the same day on which he was raised to the judicial bench. He died, in 4 Edward III., in possession of Hautboys, Whatacre, and five other manors in Norfolk, leaving a wife named Matilda, who lived till 1349, and a son named Fulk, among whose three daughters the inheritance was afterwards divided.[5]

## BEALKNAP, ROBERT.

Ch. C. P. 1374.

*See* under the Reign of Richard II.

[1] See Vol. II. 228.
[2] Parl. Writs, i. 441., ii. P. ii. 470.
[3] Abbrev. Rot. Orig. i. 186.
[4] Dugdale's Chron. Series.
[5] Blomefield's Norfolk, i. 577.; Cal. Inquis. p. m., ii. 30. 148.

## BEREFORD, RALPH DE.

Just. Itin. 1329.

How nearly Ralph de Bereford was connected with William de Bereford, the chief justice of the last reign, no pedigree explains; but that it was not very distantly is most probable. According to the certificate in 9 Edward II., he possessed property in the townships of Bourton, Milcome, and Bereford, or Barford, in the county of Oxford. In the same year he was appointed one of the custodes of the vacant bishoprick of Winchester; and on several occasions, during the remainder of that reign, was employed on commissions of Oyer and Terminer in various counties. In 1329, the third year of the reign of Edward III., he was the second of five justices itinerant into Nottinghamshire, and was named in a similar commission for five other counties.[1]

BERKS, Archdeacon of. *See* R. de Ayleston.
BEVERLEY, Provost of. *See* W. de Melton.

## BLASTON, THOMAS DE.

B. E. 1332.

Thomas de Blaston was probably of Leicestershire, where there is a hamlet of that name. The custody of the honor of Peverell, in that and two other counties, was committed to a Thomas de Blaston in the reign of Edward I.; and he may have been the father of the baron of the Exchequer. The latter I find first mentioned in 3 Edward III., when, under the title of Clericus Regis, he was constituted the king's chamberlain in Chester. He was raised to the Exchequer bench on November 2, 1332, 6 Edward III. In the eleventh year, he had an allowance of twenty marks for his expenses in

[1] Parl. Writs, ii. P. ii. 526.; Abb. Rot. Orig. i. 227. 277., ii. 24.; N. Fœdera, ii. 537. 574.; Dugdale.

going to divers places, to religious persons and others, to obtain aid to marry the king's sister, Eleanor: he acted, also, as a commissioner of array in Yorkshire. A new patent, as baron of the Exchequer, was granted to him on January 20, 1341, 14 Edward III., when the king had weeded the court, on his return from Tournay, of those whom he considered to have failed in their duty.

He held the rectory of Solihull, in Warwickshire.[1]

## BLOCKLEY, JOHN DE.

B. E. 1377.

THE parish of this name, in Worcestershire, was probably the native place of John de Blockley, who endowed the chantry of the church of St. Mary there with some of his lands in 30 Edward III. and subsequent years. He was an auditor of the Exchequer, in 44 Edward III., with a salary of 10*l.* a year; and he at the same time received an annual pension of twenty marks for certain good services he had performed to the king and the late queen Philippa; besides which, he had a grant of the custody of the manor of Exhulne, in Warwickshire, during the minority of the heir. Like most of the other officers, he was in holy orders. He was raised to the bench as a baron of the Exchequer in 47 Edward III., and so continued till the last year of the king's reign, as appears by a liberate quoted by Dugdale. He was not re-appointed on the accession of Richard II.; nor is there any further record of his career.[2]

[1] Abbrev. Rot. Orig. i. 39., ii. 17.; Dugdale; Issue Roll, Mich. 11 Edw. III.; Rot. Parl. ii. 105.; Cal. Inquis. p. m., ii. 85.

[2] Cal. Inquis. p. m., ii. 194. 263. 352.; Issue Roll, 44 Edw. III., 49. 92.; Abbrev. Rot. Orig. ii. 310.; Cal. Rot. Pat. 189.

## BOUDON, WILLIAM DE.

B. E. 1327.

WILLIAM DE BOUDON was of a Northamptonshire family. He was appointed second baron of the Exchequer on February 4, 1327, a few days after the commencement of the reign of Edward III. But as there is no subsequent entry whatever concerning him, he probably died within a few months, Robert de Nottingham succeeding him as second baron on October 15 following.[1]

## BOUSSER, or BOURCHIER, JOHN DE.

JUST. C. P. 1327.

*See* under the Reign of Edward II.

THE first mention that occurs of John de Bousser, is his appointment, as one of the attornies of the Earl of Oxford, to appear in his place at the parliament held in May, 34 Edward I., 1306.[2] In 6 Edward II. he was excused, on a fine of one hundred shillings, from bearing arms—de armis militaribus suscipiendis—for the space of three years. Although his name is not introduced in the Year Book of Edward II. before he was raised to the bench at Westminster, it may be inferred that he practised as an advocate, as he was one of the justices of assize in the counties of Kent, Surrey, and Sussex in 8 Edward II.[3], and was named in several other judicial commissions from that time till May 31, 1321, in the fourteenth year; when he was constituted a judge of the Common Pleas, in the place of Gilbert de Roubury.[4] In this court he continued to act for the remainder of that reign; but some short delay seems to have taken place in his re-appointment on the accession of Edward III.; his

[1] Parl. Writs, ii. P. ii. 527.; Dugdale's Chron. Series.
[2] Parl. Writs, i. 166.
[3] Rot. Parl. i. 449.
[4] Rot. Pat. 14 Edw. II., p. 2. m. 6.

patent not being dated till March 24, 1327, two months afterwards; while those to his brethren were immediately granted.

He was the son of Robert de Bousser, and Emma, his wife; and by his own marriage with Helen, the daughter and heiress of Walter de Colchester, became possessed of Stansted in Halsted, and other manors in Essex. The last fine levied before him was dated on the morrow of the Ascension, 3 Edward III., 1329.[1] Dying soon after, he left two sons, Robert and John, the former of whom became chancellor in this reign.[2]

He was the head of a curious commission in 19 Edward II. to hear and determine a charge made by the Bishop, and Dean and Chapter of London against certain persons for taking and carrying away a great fish, "qui dicitur Cete," found on their manor of Walton; the prosecutors alleging that King Henry III. had, by his charter, granted them "totum crassum piscem," which should be taken on their land, "except the tongue, which the said king retained to himself."[3]

## BOUSSER, or BOURCHIER, ROBERT DE.

CHANCELLOR, 1340.

ROBERT DE BOUSSER was the eldest son of the above-mentioned John de Bousser, for so the name was spelled in the whole of the father's time and in the early part of the son's. It was afterwards varied to Bourser, Burghcher, Bourghchier, and eventually Bourchier.

In 17 Edward II. he began his career as a man-at-arms, and was returned in that character by the sheriff of Essex, as summoned to attend by general proclamation[4]; and in 2 Edward III., before his father's death, he was one of the

[1] Dugdale's Orig. 45.
[2] Morant's Essex, i. 253.
[3] N. Fœdera, ii. 619.
[4] Parl. Writs, ii. P. i. 652.

knights returned to parliament for that county, and received for his attendance at the rate of four shillings a day.[1]

In July, 1334, 8 Edward III., he was appointed chief justice of the King's Bench in Ireland; Thomas de Louther being named to the same office, in case he was unwilling to go.[2] Whether he accepted the place, or how long he remained in it, does not appear. At the commencement, however, of Edward's claim to the crown of France, we find him engaged, in 1337, in the battle of Cadsant, where Guy, the brother of the Earl of Flanders, was taken prisoner; and we next meet with him attending at the parliament held in Lent, 1340.[3]

When the king hurriedly returned from Tournay, at the end of November in that year, and dismissed Robert de Stratford, the chancellor, whom he was prevented from imprisoning by his fear of invading the ecclesiastical privileges, he resolved to appoint a lay-chancellor; and accordingly selected Robert de Bourchier, who was sworn in on December 14, 1340[4], with a grant of 500*l.* a year beyond the accustomed fees.[5] That this appointment was very distasteful to all parties, is evident from the petitions in the next parliament, praying, that in consequence of the evils arising from bad counsellors, the king should in future make the chancellor, chief justices, and other officers in full parliament, and that they should there be openly sworn to observe the laws. To this the king gave what appeared to be a consent, and his answer was confirmed as a statute.[6] Immediately after the parliament had closed its sittings, he revoked the enactment as improperly forced upon him; but he soon found it expedient to part with his military chancellor, who gave up the Seal on October 29, 1341, and was succeeded by Sir Robert Parning.[7]

[1] Rot. Parl. ii. 441.
[2] N. Fœdera, ii. 890.
[3] Rot. Parl. ii. 113.
[4] Rot. Claus. 14 Edw. III., p. 2. m. 10.
[5] Cal. Rot. Pat. 138.
[6] Rot. Parl. ii. 128. 131.
[7] Rot. Claus. 15 Edw. III., p. 3. m. 22.

From this time Bourchier joined the king's army with so large an array, that his allowance amounted to 401*l.* 10*s.* He distinguished himself at the battle of Cressi, and was engaged as one of the ambassadors to treat for the subsequent peace. He was summoned to parliament as a peer from 16 Edward III.

He fell a sacrifice to the plague that raged in 1349, and was buried in Halsted church, where his monument still remains.

By his wife, Margaret, daughter and heir of Sir Thomas de Preyers, he had three sons. The eldest, named Robert, brought up to the priesthood, and in whose favour the king applied to the pope in October, 1340[1], stating him to be then twenty-two years old, died before his father. The two others were John, who was twenty years old at his father's death, and William.

The male branch of John's family terminated with his son, Bartholomew, in 1409; but the barony survived at first in his daughter, and then in Henry, the grandson of William, Sir Robert's youngest son, who will be noticed as keeper of the Great Seal to Edward IV., under the title of Earl of Essex.[2]

## BRAYTON, or DRAYTON, THOMAS DE.

? Keeper, 1340.

Thomas de Brayton had a grant of the prebend of Fynglas, in the church of Glasgow, from Edward II., in the thirteenth year of his reign; and was, therefore, probably at that time in his service. In 3 Edward III. he accompanied the king to France, and was engaged in various missions of

[1] N. Fœdera, ii. 1139.

[2] Dugdale's Baron. ii. 127.; Morant's Essex, i. 380., ii. 253.; Nicolas's Synopsis.

trust for several of the following years.[1] His appointment as a clerk in the Chancery, it would appear, occurred about 6 Edward III., as in the parliament of that year he was a receiver of the petitions.[2] From 14 to 27 Edward III. he was frequently one of those entrusted with the custody of the Great Seal, either during the absence of the chancellors, or in the intervals of vacancy in the office. Under Sir Robert Bourchier, his name appears as holding it from December 16, 1340, to the end of the year[3]; and from February 14 to March 3, 1341[4]: on the death of Sir Robert Parning, from August 27 to September 29, 1343[5]: on the death of John de Offord, from May 28 to June 16, 1349[6]; and under John de Thoresby, from September 2 to October 8, 1351[7]; and from August 4, 1353, for a time not stated.[8] He continued to act as a clerk of the Chancery till 33 Edward III., 1359[9]; after which his name is not mentioned.

He is frequently called Thomas de Drayton, in the Rolls of parliament[10]; and this, I am inclined to think, was his right name, and that he was of a Norfolk family having possessions at Great Yarmouth.[11]

## BROCLESBY, WILLIAM DE.

B. E. 1341.

WILLIAM DE BROCLESBY had land at the place of that name in Lincolnshire. He was an ecclesiastic, and devoted much of his property, both in that county and in Yorkshire, to pious purposes. It does not appear what office he held about the court before he was appointed a baron of the Exchequer on

[1] N. Fœdera, ii. 401. 764. 840. 872. 1005.
[2] Rot. Parl. ii. 68.
[3] Rot. Claus. 14 Edw. III., p. 2. m. 10.
[4] Ibid. 15 Edw. III., p. 1. m. 44.
[5] Ibid. 17 Edw. III., p. 2. m. 20. 24.
[6] Ibid. 23 Edw. III., p. 1. m. 8. 10.
[7] Ibid. 25 Edw. III., m. 11, 12.
[8] Ibid. 27 Edw. III., m. 6.
[9] N. Fœdera, iii. 452.
[10] Rot. Parl. ii. 146—264.
[11] Abb. Rot. Orig. ii. 103. 242.

January 20, 1341, 14 Edward III. He remained in the court for several years, and is mentioned as being alive in 25 Edward III.[1]

## BROME, ADAM DE.

Just. Itin. 1329.

Adam de Brome was a clerk or master in Chancery, but is introduced here as having filled the office of a justice itinerant in the county of Nottingham, in 3 Edward III., 1330. He probably was of the family settled at the manor of Brome Hall, in Norfolk; and is first mentioned in 6 Edward II., 1312, when he was assigned to talliate Warwickshire and other counties. From that time up to 3 Edward III., besides being frequently mentioned in connection with his duties in Chancery, he was several times employed in judicial commissions, and in the collection of the aid imposed by the parliament.[2] In 17 Edward II. he had a licence to erect a school in Oxford, by the name of "Rectoris Domus Scholarium beatæ Mariæ Oxon."[3]

## BRUNDISH, ROBERT.

Just. K. B. 1338.

The name of Brundish was probably derived from a parish in the county of Suffolk, and is frequently called Burnedish.

A John de Burndish acquired the manor of Morton, near Ongar, in Essex, in the reign of Edward I., and died in 9 Edward III.; when he was succeeded by Nicholas, of whom it is probable that this Robert Brundish was either a younger son or brother. Of Robert we can find no other mention than that he was constituted a judge of the King's Bench on April 4, 1338, 12 Edward III.[4]

[1] Abbrev. Rot. Orig. ii. 91. 192. 205. 219.; Rot. Parl. ii. 453.

[2] Parl. Writs, ii., P. ii. 602.; Abbrev. Placit. 337.; Dugdale.

[3] Cal. Rot. Pat. p. 94.

[4] Abbrev. Rot. Orig. i. 141., ii. 98. 129.; Cal. Inquis. p. m., ii. 70. 159. 184.; Dugdale.

BUCKINGHAM, ARCHDEACON OF. *See* W. OF WYKEHAM.

## BUKYNGHAM, JOHN DE, ARCHDEACON OF NORTHAMPTON, DEAN OF LICHFIELD, BISHOP OF LINCOLN.

B. E. 1357.

JOHN DE BUKYNGHAM, or BOKYNGHAM, a native probably of the town of Buckingham, was educated at Oxford, in which university he took the degree of Doctor in Divinity. He was collated Archdeacon of Northampton on February 28, 1350. Nothing is related of his official career until 24 Edward III., 1351, when he was appointed keeper of the king's Great Wardrobe.[1] In 1357, 31 Edward III., he was a baron of the Exchequer; but it may be presumed that he resigned his seat on that bench on his becoming keeper of the Privy Seal two years afterwards, an office which he retained till the middle of the thirty-seventh year.[2] On January 1, 1360, Robert de Herle and he were constituted the king's lieutenants and captains of the Duchy of Britanny; and he received a quittance for the monies which had come into his hands in that character in the year 1365.[3]

In the mean time he had been advanced successively to the deanery of Lichfield, about 1361, and to the bishoprick of Lincoln on April 5, 1363.[4] After ruling that diocese for thirty-four years, Pope Boniface IX., in revenge for certain contests between them, thought proper to remove him from it in 1397, offering him the see of Lichfield instead. The offended prelate, however, refused to accept what he justly considered as a degradation, but chose rather to retire to the cloisters of Canterbury, where, in less than six months, he died on March 10, 1398.[5] His works are mentioned by Bale

[1] Abbrev. Rot. Orig. ii. 211.
[2] Kal. Exch. i. 189—200.
[3] N. Fœdera, iii. 466. 777.
[4] Le Neve, 127. 140. 162.
[5] Godwin de Præsul. 295.

and Pits, and prove him to have been an able disputant and profound scholar.

A person of the same name was the king's minstrel in the latter part of the reign of Edward III., and had an allowance of 7½*d.* a day for his life.[1]

## BURGHERSH, HENRY DE, Bishop of Lincoln.

Chancellor, 1328.

The family of Burghersh derived its name from a manor so called in the county of Sussex. Its possessor in the reign of Edward I. was Robert de Burghersh, who was constable of Dover Castle, and warden of the Cinque Ports. On his death in 1306, 34 Edward I., his eldest son, Stephen, succeeded him, being then twenty-three years of age. Stephen died in 1309[2]; and as his successor, Bartholomew de Burghersh, was in the Scottish wars in 1317, I take him to have been the brother of Stephen, and not the son, as is generally represented. Bartholomew, indeed, calls Henry de Burghersh his brother[3]; and Henry is described in the statutes of Oriel College, Oxford, as the son of Robert de Burghasse, knight, and Matilda, his wife.

If, as it is said, he were only thirty years of age when he was elected to the prelacy, he must have been born about the year 1290. He was educated at the University of Oxford; and owed to his connection with Bartholomew de Badlesmere, of Ledes Castle, Kent, his uncle, that favour which produced the king's intercession with the pope to raise him to the vacant see of Lincoln. In one of the royal letters he is called Canon of York.[4] The necessary bull having been procured, he was consecrated bishop on July 20, 1320, 14 Ed-

[1] Issue Roll, 44 Edw. III., 56.
[2] Cal. Inquis. p. m., i. 207. 237.
[3] N. Fœdera, i. 1074.
[4] Parl. Writs, ii., P. i. 405, 406. 411. 414. 418.

ward II. In the next year his brother and his uncle were both in arms on the side of the Earl of Lancaster; and it is evident that he was suspected of adhering to the same party, as there is a memorandum on the Roll [1], that he is *not* to be requested to raise men-at-arms to march against the rebels and adherents of the earl. The strong terms of vituperation which the king uses in his letter to the pope on that occasion, praying for the bishop's expulsion, form a curious contrast with the laudatory expressions in his five letters of recommendation two years before.[2] The temporalities of his bishoprick were however, seized into the king's hands; as we find by his petition to the first parliament of Edward III., in which he attributes the injury he sustained, to the extent of 3000*l.*, to the "abetment and procurement of Hugh Despencer the son, and Robert Baldocke." The council intimated, in their answer, that the taking was wrongful and without cause [3]; and the treasurer and barons were commanded to exonerate the bishop from all amerciaments remaining unsatisfied.[4]

Though it is said he was restored to his possessions by Edward II., he held no office during the remainder of that reign; but soon after the accession of Edward III. he was placed in that of treasurer [5], which he filled till, in the next year, on May 12, 1328, he was appointed chancellor.[6] In 1329 he accompanied the king to France, to do homage to King Philip for the lands held of that crown; and is said to have received some hint of an intention to surprise and seize the person of Edward, who thereupon lost no time in escaping. He retained the Great Seal till the downfall of Mortimer and Queen Isabella, when the king, on November 28, 1330, 4 Edward III., placed it in the hands of John de Stratford,

[1] Parl. Writs, ii., P. i. 550.
[2] N. Fœdera, i. 464.
[3] Rot. Parl. ii. 438.
[4] N. Fœdera, i. 697.
[5] Rot. Pat. 1 Edw. III., p. 1. m. 9.
[6] Rot. Claus. 2 Edw. III., m. 26.

Bishop of Winchester[1]; but gave Burghersh a general pardon.[2]

We find him, however, again in the royal confidence, as treasurer, in the eighth, ninth, and tenth years of the reign; and from the eleventh till the end of his life he was engaged in various negotiations as to Edward's claim to the crown of France, accompanying the king in his expeditions, and becoming bound for him for a loan of 10,000*l.*[3]

The bishop died at Ghent in December, 1340, 14 Edward III., and his body was removed to England for burial in his own cathedral.

He is reputed to have possessed great natural abilities and extensive learning. His political character must have been high, since for ten years after the king had released himself from his mother's domination, he was employed, although one of her party, in embassies requiring skill and prudence as well as confidence and trust. Walsingham describes him as covetous and worldly; and relates an absurd story of his appearance after death, to induce the canons of his church to re-open certain lands to his poor tenants, which to their great injury he had enclosed in his park at Tynghurst. The only recorded complaint I find against him is, that while chancellor, he gave to his own clerks the benefices, in the king's gift, which his predecessor had been accustomed to present to the clerks of the Chancery.[4] On the other hand, it appears that he and his brother founded a grammar-school in Lincoln, to which he left maintenance for five poor priests and as many poor scholars for ever.

Bartholomew, his brother, was the ancestor of the present Earl of Westmoreland and the Baroness le Despencer and Burghersh.[5]

[1] Rot. Claus. 4 Edw. III., m. 16.
[2] Cal. Rot. Pat. 109.
[3] N. Fœdera, i. 893—1134.
[4] Rot. Parl. ii. 41.
[5] Godwin de Præsul. 294.; Barnes's Edward III., 36—210.

## BURSTALL, WILLIAM DE.

? KEEPER, 1371. M. R. 1371.

*See* under the Reign of Richard II.

## BURY, RICHARD DE, or DE AUNGERVILLE, ARCHDEACON OF NORTHAMPTON, DEAN OF WELLS, BISHOP OF DURHAM.

CHANCELLOR, 1334.

THE real name of this learned and eminent prelate was Richard de Aungerville; but he assumed that of de Bury from the place where he was born, Bury St. Edmund's, in Suffolk. Angerville is a town in Normandy, where part of the family had property so late as the reign of King John.[1] About the same time it was established in Leicestershire; and one member of it, Sir John de Aungerville, was returned knight of that shire to several parliaments in the reigns of Edward I. and Edward II. He probably was the elder son of Sir Richard de Aungerville, the father of the bishop; and if so, judging from the commencement of Sir John's career, Sir Richard died before 1294[2]; so that as de Bury was born in 1281, he must have been of very tender years when he was left an orphan.

The care of his education devolved on his uncle, John de Willoughby, a priest, by whom his youthful studies were well directed; and in due time he was removed to Oxford[3], where he pursued them with so much diligence, that he became distinguished for his learning; and at the same time acquired the higher character of a man pure in his life and manners.

On leaving Oxford, he entered the convent of Durham as a monk. From this seclusion he was withdrawn by being selected as the tutor of the king's eldest son; but as

[1] Madox's Exch. i. 518. [2] Parl. Writs, i. 437., ii. 460.
[3] According to the Encyclopædia Britannica, at University College.

the prince was not born till 1312, this event could scarcely have occurred before the year 1319 or 1320, when our monk would have been nearly forty years old. His conduct in his new position was so exemplary, that he was rewarded with the treasurership of Guienne, where he was established when Queen Isabella, and his pupil, the prince, went to France in 1325. The asylum he gave them there, and the pecuniary aid he afforded out of the royal treasures in his keeping, had nearly proved fatal to him. Although the latter rightly belonged to the prince, as his father had transferred the duchy to him, he was pursued by the emissaries of the Despencers; and, escaping to Paris, was compelled to conceal himself for seven days in the belfry of the church of the Friars Minors in that city.

On the accession of his princely pupil to the throne, his services were not forgotten. He was retained near the person of the king, then little more than fourteen years of age, and was rewarded successively with the offices of cofferer, treasurer of the Wardrobe, and keeper of the Privy Seal. Nor was his clerical preferment overlooked. He held at first a small prebend in the church of Chichester, which the king declares his readiness to give up in a letter he addressed to the pope on December 26, 1330, on de Bury's behalf.[1] In this he calls him "his secretary;" and speaking of his services, "a pueritiâ nostrâ," uses these strong expressions: "quod novimus ipsum virum in consiliis providum, conversationis et vitæ munditiâ decorum, literarum scientiâ præditum, et in agendis quibuslibet circumspectum." The object of this letter was to induce the pope to reserve for de Bury the prebends in the churches of Hereford, London, and Chichester, with the other benefices which Gilbert de Middleton, Archdeacon of Northampton, lately deceased, had possessed. Before an answer could have been received to this application, de Bury was collated to the vacant archdeaconry on

January 6, 1330–1[1]; but the pope, according to the too common practice of the day, usurped the appointment; and, on the 1st of the following March, granted the dignity to Peter, one of his cardinals. Whether he was regardless of the remainder of the prayer does not appear; but prebends in the cathedrals of Lincoln, Sarum, and Lichfield, were among the grants soon after made to de Bury.

In October, 1331, he went with Anthony de Pesaigne on a mission to the pope at Avignon[2], where he formed an intimacy with Petrarch; among his conversations with whom is one relative to the Island of Thule, on which, however, Petrarch complains that the learned ambassador was either unable or unwilling to offer any elucidation. On his return from this embassy, he was sent, with two others, to Cambridge, with a commission to inquire into the conduct and claims of such scholars as were supported in that university by the king's bounty. It was probably during this visit that he became one of the gild of St. Mary's there; to the union of which with that of Corpus Christi the college of the latter name owed its foundation.[3]

On February 20, 1332, he was admitted Dean of Wells[4]; and in the next year was sent again as ambassador to the pope, by whom he was appointed one of his chaplains. While he was absent on this mission, Lewis Beaumont, Bishop of Durham, died; and the pope used the opportunity at once of exercising his own power, and of gratifying King Edward, by setting aside an election made by the monks of Durham, and placing Richard de Bury in the vacant seat. He received the announcement of his elevation on his journey from Avignon through France, and was consecrated at Chertsey on December 19, 1333; the ceremony being

[1] Le Neve, 161.
[2] N. Fœdera, ii. 827.
[3] Master's Corp. Christ. Coll. p. 9.
[4] Le Neve, 35.

attended by the kings of England and Scotland, and a crowd of nobles and prelates, desirous to do him honour.

The king was not satisfied with his obtaining this ecclesiastical dignity: he estimated his ability and his prudence so highly, that he fixed on him to fill the most important offices in the state. He was accordingly...constituted treasurer on February 3, 1334, and raised to the chancellorship on September 28 in the same year.[1] Whether he found that he was unqualified for its cares and responsibilities, or that they withdrew him more than he wished from those of his diocese, he resigned the latter office, after holding it less than nine months, on June 6, 1335, when John de Stratford was re-appointed.[2] That his retirement was caused by no change of favour with his sovereign, is evident from his being employed in the following and several subsequent years in frequent embassies to France on the subject of the king's claims, — an occupation to which his learning and talents were probably more peculiarly fitted. His allowance on these missions was at the rate of five marks a day.[3]

Though frequently absent, he neglected none of the requirements of his diocese. He had the habit of turning all his time to account, and neither his meals nor his travels were spent idly. During the former he was read to by his chaplains, among whom were numbered some of the most celebrated men of the day; and afterwards he discussed with them the various subjects suggested by the reading. During the latter he occupied himself in forming what became the largest library in Europe, the possession of which was one of his greatest glories, as its accumulation formed his chief delight. He spared no expense in securing the most curious and valuable manuscripts, and speaks with evident glee of the motives which influenced the donors of some, and of the

[1] Rot. Claus. 8 Edw. III., m. 23. [2] Ibid, 9 Edw. III., p. 1. m. 29.
[3] N. Fœdera, ii. 950.

difficulties he had to overcome in obtaining others. The stores he had thus collected he bequeathed to the students of Durham (since called Trinity) College, in Oxford; being the first public library that was founded in that university; and in his work called "Philobiblon"[1] he not only gives instructions for its management, but endeavours to excite a love of literature, and a taste for the liberal arts.

His own devotion to books may be estimated by the language he uses regarding them: — "Hi sunt magistri qui nos instruunt sine virgis et ferulâ, sinè verbis et colerâ, sine pane et pecuniâ. Si accedis non dormiunt, si inquiris non se abscondunt, non remurmurant si oberres, cachinos nesciunt si ignores."

His ardour in their pursuit did not end with their attainment. He read and used them; and he relates that the first Greek and Hebrew grammars that ever appeared in England were derived from his labours. He encouraged the acquaintance and assisted the inquiries of all learned and intelligent men, and never enjoyed himself so fully as in the pleasures of their conversation: and his understanding was so cultivated, his wit so piercing, and his spirit of inquiry so eager, that few subjects were beyond his genius and penetration.

His virtues and his charities were equal to his talents and learning. He was beloved by his neighbours, with whom he lived on terms of reciprocal affection; to his clergy he was an indulgent superior; to his tenants and domestics a considerate master. He was most bountiful to the poor, distributing eight quarters of wheat every week for the relief of those around him, and never omitting in his journeys to appropriate large sums for the indigent, in those places through which he passed.

[1] This work is by some attributed to his chaplain, Robert Holcot; but the history of the bishop's private life, in the eighth chapter, makes it more probable that it was his own composition.

The memory of few names, and of none in that age, is more endeared than that of Richard de Bury. He closed his useful life, in the 54th year of his age, at his palace of Auckland, on April 24, 1345, and was interred in his cathedral. His income was so much exhausted by his liberality that his representatives at his death found little to divide.

His Philobiblon has been several times printed; the first time in 1473, the last in 1703: an English translation was published by the late Mr. Rodd in 1832.

An engraving of his seal, which is an interesting specimen of art in that age, may be seen in the Archæologia, xxvii. 402.

## BYNTEWORTH, RICHARD DE, BISHOP OF LONDON.

CHANCELLOR, 1338.

BYNTEWORTH, now called Bentworth, is a parish in Hampshire, the manor of which, with the advowson of its church, was granted by the Archbishop of Rouen, in 9 Edward III., to Master Richard de Bynteworth[2], who probably was a native of the place. He was employed in the previous year as one of the ambassadors to negotiate the marriage of the king's brother, John, Earl of Cornwall, with Maria, daughter of Ferdinand of Spain; and in several subsequent years on other missions; in all of which he is called "juris civilis professor." In 11 Edward III. he was keeper of the king's Privy Seal[3]; and he appears to have been a canon of St. Paul's at the time of the decease of Stephen de Gravesend, Bishop of London. By his conduct in these employments

[1] Godwin de Præsul. 747.; Barnes' Edw. III. 328.; Dobson's Life of Petrarch; Surtees' Durham, i. xlv.

[2] Abbrev. Rot. Orig. ii. 94. It is thus clear that his name was not de Wentworth, as some have supposed.

[3] Rot. Claus. 11 Edw. III., p. 1. m. 13.

his character had been so firmly established that he was immediately called upon to fill the vacant see, his election to which took place on May 4, 1338, 12 Edward III., within a month from his predecessor's death. Soon after his confirmation the king appointed him his chancellor in the place of Robert de Stratford; and, having taken the accustomed oath on July 6[1], he immediately proceeded to the ceremony of his consecration, which was performed six days afterwards. His sudden death put an end to his tenure of both these offices on December 8, 1339[2], before he had illustrated either by any memorable act.[3]

## CANTEBRIG, JOHN DE.

Just. C. P. 1331.

Although John de Cantebrig (Cambridge) could scarcely be the son of Thomas de Cantebrig, the baron of the Exchequer in the last reign, as Masters suggests, the latter being a clergyman, he was probably nearly related to him. From the fourth year of Edward II. he was continually employed in the judicial commissions in that county; and was returned member for it to several of the parliaments from the 14th to the 19th year. He is mentioned as a counsel in the Year Book of that reign, and also in the first three years of Edward III.; in the latter of which he was one of the king's serjeants, and as such was joined in the commission into Northamptonshire, &c. On October 22 in that year he was made a knight, tanquam Banerettus, and had robes for his investiture granted to him from the king's wardrobe.

On January 18, 1331, 4 Edward III., he was raised to the bench of the Common Pleas; and, for some reason that does not appear, had a new patent on January 30, 1334. The

[1] Rot. Claus. 12 Edw. III., p. 2. m. 23.
[2] Ibid. 13 Edw. III, p. 3. m. 11.
[3] Godwin de Præsul. 185.

fines levied before him do not extend beyond Michaelmas term of the latter year; and his death occurred in 1335. He is mentioned as seneschal of the Abbot of St. Alban's in 1331.

His property was very extensive in the town and neighbourhood of Cambridge; and both during his life, and by his will, he devoted a great part of it to the gild of St. Mary, in that town (afterwards Corpus Christi College), of which he was a member, and twice alderman.[1]

CANTERBURY, ARCHBISHOP OF. *See* J. DE STRATFORD, J. DE OFFORD, S. DE LANGHAM.

CANTERBURY, ARCHDEACON OF. *See* R. DE STRATFORD.

## CAVENDISH, JOHN DE.

JUST. C. P. 1371. CH. K. B. 1372.

*See* under the Reign of Richard II.

CHICHESTER, BISHOP OF. *See* R. DE STRATFORD.

## CLAVER, JOHN.

JUST. ITIN. 1333.

THE Year Books introduce John Claver among the advocates in the reigns of Edward II. and Edward III. He was a native of Norfolk, and was employed in several judicial commissions in that county. He acted also as custos of the see of Norwich during its vacancy in both reigns, and tallaged that county and Suffolk in 6 Edward III. In the following year, 1333, he was added to the commission of justices itinerant into Kent. We find no mention of him after

[1] Masters' Corp. Christi Coll. p. 8.; Parl. Writs, ii., P. ii. 680.; Dugdale's Orig. 45.; Abbrev. Rot. Orig. 95.; Newcome's St. Alban's, 223.

10 Edward III., but believe he had a son named Walter, who held a third part of the manor of Runham.[1]

## CLIFF, HENRY DE.

M. R. 1327. KEEPER, 1328.

*See* under the Reign of Edward II.

THERE were two clerks or masters in Chancery of the name of Cliff or Clyff, in the reign of Edward II., who probably were brothers. The earliest notice of Henry de Cliff is that he accompanied the king abroad in May, 1313.[2] He is first mentioned in connection with the Chancery in May, 1317, when Edward II. having ordered that the Great Seal should be placed in the custody of William de Ayremynne and Robert de Bardelby to do the business of that department during a short absence of the chancellor, John de Sandale, Bishop of Winchester, the same was left in the bishop's house in Southwark, under their seals, in the charge of Master Henry de Cliff.[3] From this time till the year 1324 he was usually one of the two or three clerks in Chancery under whose seals the Great Seal was secured during the occasional absences of the Chancellors Sandale, Hotham, Bishop of Ely, Salmon, Bishop of Norwich, and Baldock, Archdeacon of Middlesex. In the latter year, being then a canon of York, he was one of the procurators for the dean and chapter of York in the parliament then assembled at Westminster, and also acted in the same character for the Bishop of St. Asaph.[4]

He was raised to the office of keeper or master of the Rolls on July 4, 1325[5]; and after the virtual abdication of Edward II., in the following year, he was commanded, on December 17, 1326, to add his seal to that of the Bishop

[1] Parl. Writs, ii., P. ii. 679.; Rot. Parl. ii. 20. 447.; Dugdale; Abbrev. Rot. Orig. ii. 103. 106. 121.

[2] N. Fœdera, ii. 212.

[3] Rot. Claus. 10 Edw. II., m. 8.

[4] Parl. Writs, ii., P. i. 293-4.

[5] Rot. Claus. 18 Edw. II., m. 1.

of Norwich for the custody of the Great Seal, and they together transacted the business till the appointment of John de Hotham, Bishop of Ely, as chancellor, a few days after the accession of Edward III.[1]

About this time he appears to have been under sentence of excommunication for some fancied offence relative to the presentation to the prebend of Blebury in the church of Salisbury; as Edward III., in the month after his accession, addressed a letter of remonstrance to the pope; and repeated his application in the following March.[2]

He continued in the office of master of the Rolls for the first seven years of this reign, during which the Great Seal was frequently intrusted to his custody. From March 1 to May 12, 1328, he and William de Herlaston held it between the resignation of John de Hotham, Bishop of Ely, and the appointment of Henry de Burghersh, Bishop of Lincoln; and from July 1 to 30, and August 17 to 26, 1328; and from May 31 to June 11, 1329; during the absence of the latter chancellor. Under the next chancellor, John de Stratford, Bishop of Winchester, also, he had similar possession of it in the months of April and November, 1331, and April and December, 1332.

He died about the beginning of January, 1334; and was succeeded as master of the Rolls by Michael de Wath on the 20th of that month.[3]

CORNWALL, ARCHDEACON OF. *See* J. DE ST. PAUL.

## COSSALE, WILLIAM DE.

B. E. 1330.

COSSALE was a manor in Nottinghamshire which belonged and gave name to William de Cossale. He was a benefactor

[1] Rot. Claus. 20 Edw. II., m. 3.
[2] N. Fœdera, ii. 714. 732.
[3] Rot. Claus. 8 Edw. III., m. 35.

of Newstead Abbey in that county, endowing it with eighty acres of waste land in the forest of Shirewood for the maintenance of three chaplains. He was appointed a baron of the Exchequer in 3 Edward III.; but is not mentioned after the fourteenth year.[1]

## COTYNGHAM, THOMAS DE.

? KEEPER, 1349.

ON the death of the chancellor, John de Offord, Archbishop of Canterbury, the Great Seal was placed in the custody of David de Wollore, the master of the Rolls, of John de St. Paul, Thomas de Brayton, and Thomas de Cotyngham; and they held it from May 28 till June 16, 1349, when John de Thoresby was appointed chancellor.[2] This is the only occasion on which Cotyngham is mentioned as keeper of the Seal; although he was one of the clerks in Chancery for nearly thirty years from 14[3] to 43 Edward III., 1340—1369.[4] During part of this period, however, he went to Ireland as master of the Rolls there, to which office he was appointed in 30 Edward III., 1356.[5] He was no doubt brought up in the Chancery, as we find him presented by the king so early as 13 Edward II., 1319, with the church of Wygeton; and acting as the attorney of William de Herlaston, a clerk in the Chancery, in 1325.[6]

## COURTENEYE, HUGH DE, afterwards EARL OF DEVON.

JUST. ITIN. 1330.

ALTHOUGH Hugh de Courteneye was at the head of the commission of justices itinerant into Bedfordshire in 4 Edward III., 1330[7], he seems to have been placed there as one

[1] Cal. Rot. Pat. p. 106.; Rot. Orig. ii. 78. 81.; Inquis. p. m., ii. 97.
[2] Rot. Claus. 23 Edw. III., p. 1. m. 8. 10.
[3] N. Fœdera, ii. 1142.
[4] Rot. Parl. ii. 157—299.
[5] Cal. Rot. Pat. p. 166.
[6] N. Fœdera, ii. 401. 606.
[7] Dugdale's Chron. Series.

of the principal barons of that county, and not as in any other way connected with the law. The practice of putting noblemen into these commissions, though common in the earlier reigns, was at this time seldom adopted, and was afterwards entirely discontinued. We find him, however, at the head of another commission, for the trial of offenders in the forests, in the same year.[1]

He was the eldest son of Hugh de Courteneye, Baron of Oakhampton, and Eleanor, daughter of Hugh Despencer the elder, Earl of Winchester. His father died in 1291, when he was sixteen years of age. He had no sooner attained his majority, than he joined in various expeditions under Edward I., by whom he was knighted. He was summoned, also, to all the parliaments as a baron, both under that king and his two successors, until 8 Edward III., 1334; and on February 22, in the following year, he was created Earl of Devon, as the lineal descendant of Baldwin de Ripariis, the seventh earl. He died in 1340, 14 Edward III., and was buried at Cowick, near Exeter.

By his wife Agnes, daughter of John, Lord St. John, of Basing, he had six children. The eldest, Hugh, succeeded him; and, notwithstanding two forfeitures, the title still remains in one of his descendants, the present earl. The eighteenth earl was created Marquis of Exeter in 1553; but, dying without issue three years afterwards, this additional honour became extinct.[2]

## DELVES, JOHN DE.

JUST. C. P. 1364.

JOHN DE DELVES was the son of Richard de Delves, of Delves Hall, near Uttoxeter, in Staffordshire, who was constable of Helcigh Hall, in that county. James de Audley,

[1] Abbrev. Rot. Orig. ii. 24.

[2] Dugdale's Baron. i. 638.; Nicolas's Synopsis.

Baron of Heleigh, took John, as one of his four esquires, to the wars in France. At the battle of Poictiers, on September 19, 1356, 30 Edward III., the Lord Audley, having leave of Prince Edward, "went to the formast front of all the batayles, all onely acompanyed with four squyers, who promysed nat to fayle hym;" "and there dyd maruels in armes." And "the lorde James Awdeley, with the ayde of his foure squyers, fought alwayes in the chyefe of the batayle; he was soore hurte in the body, and in the vysage; as longe as his breth serued hym, he fought; at laste, at the ende of the batayle, his foure squyers tooke and brought hym oute of the felde, and layed hym vnder a hedge syde, for to refresshe hym; and they vnarmed hym, and bounde vp hys woundes as well as they coulde." The prince, for his prowess on that day, granted to the Lord Audley, on the field, "fyue hundred markes of yerely reuenewes," which the generous knight immediately, in the presence of his companions in arms, resigned to his four squires, saying, that they had "alwayes serued me truely, and specially this day; that honour that I haue is by their valyantnesse." And each of them was allowed to add a part of their lord's arms to his own.

John de Delves was soon afterwards knighted, and retained in the service of the Black Prince. In 36 Edward III. he is called his "valettus," in an order to the sheriffs of London to supply him with as many bows and arrows as the prince should require; and he was intrusted with the wardship of the Duchess of Britanny.

However natural it was that the royal good-will should be extended to him, it seems strange that a place on the judicial bench should be selected as a reward for his military services, since there is no evidence in the Year Books, or otherwise, that he had been ever previously connected with the law. Yet so it was, and on February 3, 1364, 38 Edward III., he

was constituted a judge of the Common Pleas; and appears to have had fines acknowledged before him in the same term. There is evidence, however, that he accompanied the Black Prince to Gascony two months afterwards, so that he did not devote himself much to his legal avocation. Fines, however, appear to have been levied before him till the middle of the following year. As his name was not afterwards inserted among the judges who received their salaries, he probably then retired from the bench. He was lucky enough, at this time, to announce to the king the birth of his grandson Edward, the son of the Prince of Wales, for which he had a grant of 40*l.* a year.[1]

He lived till 43 Edward III., 1369; and in pursuance of the directions in his will, dated August 16 in that year, he was buried at Audley, in Staffordshire. By his wife Isabella, the daughter and coheir of Philip de Malpas, he left a daughter, Joan, the widow of Henry de Kymes, and bequeathed to her most of his manors; but eventually he was succeeded in his estates by his brother Henry; one of whose descendants, Thomas Delves, of Dodington, in the county of Chester, was created a baronet in 1621; but the title became extinct in 1725. The estates then passed to Sir Brian Broughton, Bart., a grandson, who assumed, and the present baronet still bears, the name of Delves.[2]

## DENUM, WILLIAM DE.

B. E. 1332. ? K. B. 1332.

The family of Denum, or Denom, was established in the county of Durham. Robert de Denum had two sons, John and William, both of them engaged in legal pursuits, and both serjeants-at-law. They were, not improbably, the

[1] Cal. Rot. Pat. p. 180. This son died soon afterwards.

[2] Froissart (1812), i. 197. 205.; Dugdale's Orig. 45., and Chron. Series; Hasted's Kent, viii. 213.; N. Fœdera, iii. 671. 729.; Cal. Inquis. p. m., ii. 296; Burke; Testam. Vet. i. 83.

persons who are generally called J. and W. Devom in the Year Books of Edward II. and III. William, on the death of John without issue, succeeded to the manor of Herdwyk-juxta-Hesilden, and other large estates in that county, and is stated to have been then sixty years of age. Surtees must be mistaken in saying that John's death took place in 1327; as in 6 Edward III., 1332, he was a commisioner of array in Lancashire, and, two years afterwards, had the custody of the town of Berwick-upon-Tweed committed to him.

William de Denum, in the early part of the reign of Edward III., was frequently employed in conducting the negotiations with Scotland. In 1329, the third year of that reign, he was the last of five itinerant judges into Nottinghamshire; and by writ dated February 8, 1331 was constituted one of the king's serjeants. On the 24th of September, 1332, he was made a baron of the Exchequer; and a little later in the same year Dugdale introduces him among the justices of the King's Bench, on the authority of a liberate. But it is most probable that this document was nothing more than the order for his salary as a baron, the titles not being always clearly distinguished. No entry occurs relative to him after this date, so that it is not unlikely that he retired from the bench when he succeeded to the family estates on the death of his brother.

He died in 1350, leaving his wife, Isabella, who was alive ten years afterwards. His son Edmund dying before him, his possessions descended to his four daughters.[1]

DEVON, EARL OF. *See* H. DE COURTENEYE.

DRAYTON, NICHOLAS DE.

B. E. 1376.

*See* under the Reign of Richard II.

[1] Surtees's Durham, i. 51. 192.; N. Fœdera, ii. 704—849.; Abbrev. Rot. Orig. ii. 91. 261.; Dugdale's Chron. Series.

DRAYTON, THOMAS DE. *See* BRAYTON.
DUBLIN, ARCHBISHOP OF. *See* J. DE ST. PAUL.
DURHAM, BISHOP OF. *See* R. DE BURY.

## EDENESTOWE, HENRY DE.

? KEEPER, 1332.

HENRY DE EDENESTOWE was so called from a place of that name in the county of Nottingham, now Edwinstowe, where he had possessions.[1] He was a clerk in the Chancery in 18 Edward II., 1325, and so continued for a number of years. In 4 and 6 Edward III. he acted as clerk of the parliament[2]; and in the latter year the Great Seal was placed in the custody of the master of the Rolls, in the absence of the chancellor, under the seals of two of the clerks, of whom Henry de Edenestowe was one, from April 1 to June 23, 1332; and from December 17 to January 8, 1333; and again from January 13 to February 17, and from April 6 to September 28, 1334[3]; John de Stratford being chancellor during the whole time. He is not mentioned afterwards in connection with the Great Seal; but in 20 Edward III., 1346, he is named for a loan to the king of 100*l.*[4]

## EDENHAM, GEOFFREY DE.

JUST. K. B. 1331.

GEOFFREY DE EDENHAM was of the county of Lincoln, where he had property, and in which there is a parish of that name. We find nothing relative to him before he was made a judge of the King's Bench on January 18, 1331, 4 Edward III. He was appointed to tallage his own county and those of Rutland and Northampton two years afterwards;

[1] Cal. Inquis. p. m., ii. 102.
[2] Rot. Parl. i. 420., ii. 52. 68.
[3] Hardy's Catal. 31, 32.
[4] N. Fœdera, iii. 69.

and is last mentioned, with Thomas de Longevillers, as possessing the manor of Aykle, in Lincolnshire, in 15 Edward III.[1]

## EDINGTON, WILLIAM DE, Bishop of Winchester.

Chancellor, 1356.

Edington, a parish in Wiltshire, was the birth-place of William de Edington, who, when he became Bishop of Winchester, built a church there, and founded a large chantry for a dean and twelve ministers, who were afterwards, at the desire of the Black Prince, changed into that class of friars of the order of St. Augustin who were called Bonnes-Hommes.[2]

He was educated at Oxford; and, entering into the priesthood, was presented in 1335 to the living of Cheriton, in Hampshire, by Adam de Orlton, Bishop of Winchester. He also had a canonry in Salisbury cathedral.

We do not find him in any official position till 1341, 15 Edward III., when he is mentioned as receiver of the ninth granted by parliament.[3] In 17 Edward III., 1343, he was keeper of the king's wardrobe; and on April 10 in the following year he was appointed chancellor of the Exchequer, from which he was raised, at the end of two years, to the high and responsible office of treasurer.[4] This he held for no less than ten years, and then only exchanged it for the higher post of chancellor.

On the death of Adam de Orlton he was placed in the vacant see of Winchester, by papal provision in his favour dated December 9, 1345; but he was wise enough to renounce the pope's nomination as prejudicial to the rights of the crown; and the king "of his special favour, and not by

[1] Dugdale; Abbrev. Rot. Orig. ii. 110. 138.; Rot. Parl. ii. 446.; Cal. Inquis. p. m., ii. 102.

[2] Monasticon, vi. 585.

[3] N. Fœdera, ii. 1154.

[4] Cal. Rot. Pat. 147. 154.

virtue of the said bulls," accepted his fealty, and restored the temporalities to him on the 15th of the following February.[1]

His treasurership was illustrated by the unfortunate introduction of two new coins called a groat and half-groat, the real worth of which was so much less than their nominal value as to produce a corresponding increase in the price of all articles of consumption throughout the kingdom.

On the institution of the order of the Garter in 1349, Edward constituted him the prelate of it, perpetuating the dignity in his successors of the see of Winchester. In 1355 he was left one of the custodes of the kingdom in the absence of the king on his renewed invasion of France.

The Great Seal was placed in his hands, with the title of chancellor, on November 27, 1356, 30 Edward III., on the resignation of John de Thoresby, Archbishop of York[2]; and he retained it for more than six years, during which he preserved the royal favour without losing the confidence of the people. He was, as the record says, "gratefully absolved" from its duties on February 19, 1363, when Simon de Langham, Bishop of Ely, succeeded him.[3]

He survived little more than three years, still continuing high in the confidence of his sovereign. Shortly before his death the monks of Canterbury elected him archbishop on the decease of Simon Islip; but he refused the proffered dignity, humorously saying, that though Canterbury was the higher rack, Winchester was the better manger.

William of Wykeham was brought forward under his auspices, and employed by him in the reconstruction of the nave, which the bishop not only commenced but provided by his will for its completion. He died on October 7, 1366, and was buried at Edington.[4]

[1] Cal. Rot. Pat. 153.; N. Fœdera, iii. 39. 64. 69.; Devon's Issue Roll, p. 150.
[2] Rot. Claus. 30 Edw. III., m. 4. [3] Ibid. 37 Edw. III., m. 39.
[4] Godwin de Præsul. 225.; Duthie's Hampshire, 47.; Angl. Sac. i. 317.

ELY, ARCHDEACON OF. *See* J. DE OFFORD.

ELY, BISHOP OF. *See* J. DE HOTHAM; S. DE LANGHAM.

## EVERDON, WILLIAM DE.

B. E. 1327.

*See* under the Reign of Edward II.

IT may be presumed that William de Everdon was either brother or son of John de Everdon, who became a baron of the Exchequer in 1 Edward II. In the fifth year of that reign, October 11, 1311, William was appointed treasurer's remembrancer in that court, and had a fee of forty marks per annum for himself and his clerks; and in 10 Edward II., he had an additional grant of 20*l.* a year *de dono*, for his good service, until the king should provide him with an ecclesiastical benefice suitable to his degree. From that time we find no entry relative to him till July 18, 1324, 17 Edward II., when he was raised to the bench as a baron; in which office he continued till the end of the reign; and was retained in it on the accession of Edward III. The date of his death is not recorded; but he was employed in 11 Edward III. to assist in levying money from the clergy of York for carrying on the French war.[1]

## EVESHAM, THOMAS DE.

'' ? KEEPER, 1340. M. R. 1341.

THOMAS DE EVESHAM held some place in one of the departments of the court as early as 1313, 6 Edward II., when he accompanied the king abroad. In 1319 he was appointed one of the attorneys for Rigand de Asserio, the pope's nuncio[2], and appeared as proxy for the Abbot of Evesham in the parliaments of the sixteenth and eighteenth years of

[1] Madox's Exch. ii. 267—269.; Dugdale; N. Fœdera, ii. 1005.

[2] N. Fœdera, ii. 212. 399.

that reign.[1] In all these appointments he is designated as belonging to the clerical profession.

He is first mentioned as a clerk in the Chancery in July, 1328, 2 Edward III.[2] On the appointment of Sir Robert Bourchier as chancellor, the Great Seal was placed in his hands under the seals of two of the other clerks, and so remained from December 16, 1340, to the 1st of January following. On the 10th of that month he was raised to the office of master of the Rolls, then vacant by the dismissal of John de St. Paul.[3] It would seem, however, that this was a mere temporary appointment; for he was superseded by John de Thoresby on February 21[4], after only six weeks' enjoyment of the place. He immediately resumed his duties as a clerk in the Chancery [5], which he continued to perform during the remainder of his life. He was named as a trier of petitions in the parliaments of 6, 14, 15, and 17 Edward III [6], and died in the latter year, 1343, possessed of land at Weston Underegge, in Gloucestershire. His London residence was in "Faytour Lane." [7]

## FASTOLF, NICHOLAS.

Just. Itin. 1330.

The family of Fastolf was of Great Yarmouth in Norfolk, for which town Nicholas Fastolf was returned as one of the burgesses to parliament in 2 and 7 Edward II. He was certified two years afterwards as one of the lords of the townships of Wickampton, Reedham, and Freethorpe in that county. In 18 Edward II., October 30, 1324, he was appointed chief justice of the King's Bench in Ireland; and was still mentioned in that character on July 12, 1327, 1 Ed-

[1] Parl. Writs, ii., P. ii. 828.
[2] N. Fœdera, ii. 745.
[3] Rot. Claus. 14 Edw. III., p. 2. m. 10.
[4] Ibid. 15 Edw. III., p. 1. m. 34.
[5] N. Fœdera, ii. 1172.
[6] Rot. Parl. ii. 68. 112. 126. 135.
[7] Cal. Inquis. p. m., ii. 108.

ward III. The patent of his successor in the office being dated in 1333, 7 Edward III., it may be presumed that Fastolf enjoyed it till that time. If so, he must have been on a visit to England when he was added to the commission of justices itinerant into Derbyshire in 4 Edward III., 1330.[1]

## FAUNT, WILLIAM.

Just. K. B. 1338.

Neither in the Year Books nor in any other records is the name of William Faunt to be found. Dugdale inserts him as a justice of the King's Bench on April 4, 1338; and H. Philipps mentions two persons as his descendants in 1684; one residing at Foston, in Lincolnshire, and the other at Kingsthorpe, in the county of Northampton.[2]

## FENCOTES, THOMAS DE.

Just. C. P. 1348.

Thomas de Fencotes, who was of a Yorkshire family, was an adherent of Thomas, Earl of Lancaster, in the reign of Edward II.; and obtained his release from prison by a payment of 20*l.*[3] When John de Britannia, Earl of Richmond, was taken by the Scots in 16 Edward II., Thomas de Fencotes was appointed one of his attorneys in England; and on the death of the earl in 8 Edward III., he still represented him, and acted as custos of the estate till the death of the earl's successor, John, Duke of Britanny, in the fifteenth year[4], having received, a short time before, a grant from the earl of his capital messuage and land at Aldborough.[5] From the Year Books it appears that he acted as an advocate in York-

[1] Parl. Writs, ii., P. ii. 838.; N. Fœdera, ii. 709.; Smyth's Law Officers of Ireland, 97.; Dugdale's Chron. Ser.

[2] Chron. Series; Grandeur of the Law (1684), 220. 252.

[3] Parl. Writs, ii., P. ii. 208.

[4] N. Fœdera, ii. 88. 524. 1159.

[5] Cal. Rot. Pat. 139.

shire as early as 2 Edward III., and as a justice of assize in the seventeenth year. He was appointed a judge of the Common Pleas on January 14, 1348, 21 Edward III.; and the fines acknowledged before him extend to Hilary Term in the twenty-eighth year, 1354[1]; soon after which it would seem that he resigned, since his name is not included in the list of the judges of the court, as given in the Year Book in Hilary Term, 29 Edward III. He received the order of knighthood when or soon after he was raised to the bench. In 24 Edward III. he gave certain tenements to the priory of the order of Mary of Mount Carmel to enlarge their house in Fleet Street; and in 31 Edward III., he and his wife Beatrice endowed the convent of Egleston with the advowson of the church of Bentham in Yorkshire; at which time that manor and the manor of Ingleton are stated to remain in his possession.[2]

There is very little doubt that John de Fencotes, who is mentioned in the Year Books as a serjeant-at-law in 40 Edward III., and who in that character was added to the commission of assize in the forty-fourth year[3], was his son. His practice in the courts did not extend beyond the two subsequent years.

## FRISKENEY, WALTER DE.

JUST. C. P. 1327. JUST. K. B. 1327.

*See* under the Reign of Edward II.

THE name of Walter de Friskeney was derived from a parish so called in the county of Lincoln. He is mentioned as a counsel in the Year Book of Edward II., before he was raised to the bench; and so early as the fourth year of that reign he was summoned, with six others, as an assistant to the parliament then held. He was probably a serjeant at the

[1] Dugdale's Orig. 45.

[2] Cal. Inquis. p. m., ii. 168, 203.

[3] Issue Roll, 44 Edw. III., 354.

time, as some of the others certainly were. We next find him added to several judicial commissions in his own county in 7, 8, and 11 Edward II.

He was constituted a baron of the Exchequer on August 6, 1320, 14 Edward II., in addition to the duties of which he was frequently employed as a justice in the country, and was one of those who were empowered to pronounce the judgment upon the Mortimers in 16 Edward II. On the second day of the next regnal year, July 9, 1323, he was removed from the Exchequer and appointed a judge of the Common Pleas. Dugdale refers to a liberate of 18 Edward II. to prove that he was then removed into the King's Bench; but the designation given to the parties in whose favour these writs are granted is seldom very distinct; and the term Justiciarius Regis is commonly used for judges of both courts. We are inclined, therefore, to think that he remained in the Common Pleas till the end of the reign, as he is mentioned in the Year Book as of that court in 19 Edward II.; besides which he received a patent in the same court six days after the accession of Edward III., viz., on January 31, 1327. On March 6 following, however, he was placed in the King's Bench: where he sat till Trinity Term in the second year, when the last notice of him occurs in the Year Book.[1]

## FULBURN, WILLIAM DE.

B. E. 1327.

*See* under the Reign of Edward II.

WILLIAM DE FULBURN was no doubt a native of the place of that name, in Cambridgeshire. He held an office in the court at the commencement of the reign of Edward II., and was sent into that county, and Huntingdonshire, as others were to the rest of England, to instruct and assist the sheriffs

[1] Year Books, Edw. II. & III.; Parl. Writs, ii., P. ii. 897.; Dugdale.

in arresting the Knights Templars. He was engaged in fixing the tallage of those and other counties in 6 Edward II., and was subsequently employed in special commissions for the trial of offenders.

On June 1, 1323, 16 Edward II., he was constituted a baron of the Exchequer, and having filled that office during the remainder of the reign, was re-appointed on the accession of Edward III. The latest occurrence of his name is in a commission dated May 11, 1328, 2 Edward III.[1]

## FULTHORPE, ROGER DE.

JUST. C. P. 1374.

*See* under the Reign of Richard II.

## FYNCHEDEN, WILLIAM DE.

JUST. C. P. 1365. CH. C. P. 1371.

No other trace of the locality of this family occurs than the appointment of a Richard de Fyncheden as a commissioner of array in Yorkshire in 33 Edward III.[2] The name of William de Fyncheden is mentioned as an advocate in the Year Books from the twenty-fourth year of that reign, and he was made a king's serjeant in the thirty-sixth year, being also employed as a justice of assize two years after. On October 29, 1365, 39 Edward III., he was raised to the bench of the Common Pleas; and was advanced to its head on April 14, 1371, 45 Edward III., in the room of Robert de Thorpe. Robert Bealknap, his successor as chief justice, was appointed on October 10, 1374; but whether the vacancy was occasioned by the death or retirement of Fyncheden does not appear.[3]

[1] Parl. Writs, ii. 900.; Rot. Parl. ii. 25. 208.
[2] N. Fœdera, iii. 458.
[3] Cal. Rot. Pat. 180. 186.; Dugdale.

## GARTON, THOMAS DE.

B. E. 1331.

THOMAS DE GARTON was a member of the clerical profession, and was one of those appointed in 18 Edward II. to assist the bishops in removing foreign priests, the counties of Cambridge and Huntingdon being assigned to him. He held the office of comptroller of the king's household in 3 Edward III., and, in the following year, that of keeper of the wardrobe. On October 10, 1331, 5 Edward III., he was placed on the bench of the Exchequer, as second baron, in the room of Robert de Wodehouse; but no subsequent entry of his name is to be found.[1]

## GREEN, HENRY.

JUST. C. P. 1354. CH. K. B. 1361.

QUEEN ISABELLA having granted to Henry Green, probably for some services as an advocate, the manor of Briggestoke, in Northamptonshire, her son Edward III., in the twenty-second year of his reign, confirmed it to him for life, in case he should survive the queen. He had been appointed one of the king's serjeants-at-law three years before; and his arguments in court, with his proceedings as a justice of assize, are frequently recorded in the Year Books up to the period of his being called to the bench. This occurred on February 6, 1354, 28 Edward III., when he was made a justice of the Common Pleas, and afterwards received the honour of knighthood.

In the year 1358, having been cited before the pope for pronouncing a judgment against the Bishop of Ely for harbouring one of his men who had burnt a manor of Lady Wake's, and slain one of her servants, he was excom-

[1] N. Fœdera, ii. 574. 769. 785.; Issue Roll, Easter, 4 Edw, III.; Dugdale.

municated for his non-appearance. It is not related how he cleared himself from this sentence; but it did not prevent his being raised to the office of chief justice of the King's Bench on May 24, 1361, 35 Edward III. He opened the parliaments in the two following years, and was present in the next; but he was removed from his place, and succeeded by John Knyvet, on October 29, 1365, 39 Edward III.

Joshua Barnes says that he and Sir William Skipwith in that year were "arrested and imprisoned for many enormities against law and justice, and were not redeemed without refunding large sums which by injustice they had got from others; and were for ever after excluded from their places and the king's favour." Skipwith was at that time chief baron, and lost his place on the same day, but he was afterwards restored to the bench; and it is somewhat curious, if this charge were made (of which no evidence, however, appears on the records), that in the warrant to Sir Henry Green, directing him to give over the Rolls, &c. to his successor, the king should call him "delectus et fidelis." He is referred to as the "wise justice" in one of the cases reported by Richard Bellewe.

That he was not much damnified by any fine imposed upon him is apparent from the numerous manors and other lands in the counties of Northampton, Leicester, York, Hertford, Bedford, Buckingham, and Nottingham, together with a mansion in Silver Street, Cripplegate, London, which he possessed at the time of his death. That event occurred in 43 Edward III., 1369; and his son Thomas enjoyed the same property till his death in 1391-2.

[1] Abbrev. Rot. Orig. ii. 195.; Dugdale's Chron. Series; Rot. Parl. ii. 268. 275. 283.; Barnes' Edward III., 624. 667.; Cal. Inquis. p. m., ii. 206., iii. 136.; R. Bellewe's Rep. 142.

## GREYSTOKE, HENRY DE.

B. E. 1356.

THE baronial family of Greystoke, in Cumberland, flourished at this period; but we do not find the name of Henry de Greystoke among its members. He may therefore have been so called from his being born in that place. He was connected with the king's household or Exchequer in the reign of Edward I.; in the twenty-seventh year of which, as well as several times afterwards under Edward II., he acted as paymaster of the forces in Nottingham and Derby, and was appointed by the latter king to assist the sheriff of Cumberland in arresting the Knights Templars. From the sixteenth year of Edward III. he held the office of custos of the lands and tenements which were reserved for the use of the king's chamber, receiving a salary of fifty pounds a year. In this character various manors, &c. were placed under his charge; and in the parliaments of 25 and 28 Edward III. he was ordered to be present on the hearing of petitions touching these lands, to give information "pur le Roi et au le Roi." Dugdale introduces him in the twenty-seventh year as attorney-general; but it is probably in reference to these matters only, as he does not appear to have been otherwise connected with the law. Though he is described as a "clericus," he could not have taken that grade in holy orders which prevented him from marrying; for his widow Jane, the daughter of Sir William Pickering, is said to have married Chief Justice Gascoigne.

He had a grant of the French portion of the church of Mapeldurham, and of a messuage and lands in Resceby, in Yorkshire, for his good services; and he was made a baron of the Exchequer on October 6, 1356, 30 Edward III., beyond which no trace of him remains.[1]

[1] Parl. Writs, i. 956., ii. P. ii. 648. *n.*; N. Fœdera, ii. 1214.; Abbrev. Rot. Orig. ii. 159. 173, 174. 208.; Rot. Parl. ii. 236. 254.; Dugdale; Wotton's Baronetage, v. 336.

## GRYMESBY, EDMUND DE.

? KEEPER, 1340.

EDMUND DE GRYMESBY was of the town of that name in Lincolnshire, where he had considerable property.[1] He was probably the son of Simon de Grymesby, escheator to the king, and is mentioned as one of the procurators to appear for the Abbot of Thornton in the parliaments of 17 and 18 Edward II.[2] In the next year he was parson of the church of Preston.[3] In 7 Edward III., 1333, he received the appointment of keeper of the Rolls in the Irish Chancery[4]; but two years afterwards we find him sent to various parties in England to obtain loans for the king to enable him to carry on the war with Scotland.[5] He was no doubt then a master or clerk in the English Chancery; in which office he continued to act till the 25th, and perhaps the 27th, year of the reign, being a receiver of petitions in all the parliaments assembled in that interval.[6] During this period the Great Seal was twice placed under his seal; the first time from December 16, 1340, to the end of the year, in the absence of the Chancellor Bourchier; and the last time from September 2 to October 8, 1351, while John de Thoresby was chancellor.[7]

## GUNTHORP, WILLIAM.

B. E. 1377.

*See* under the Reign of Richard II.

## HAGHMAN, NICHOLAS.

B. E. 1336.

NICHOLAS HAGHMAN, or HAWMAN, was probably the son of Alan de Haghman and Amicia his wife; as in 6 Ed-

[1] Abbrev. Rot. Orig. ii. 155. 176.
[2] Parl. Writs, ii., P. ii. 958.
[3] Rot. Parl. i. 437.
[4] Cal. Rot. Pat. 117.
[5] N. Fœdera, ii. 912.
[6] Rot. Parl. ii. 126—236.
[7] Hardy's Catal. 34. 39.

ward II., 1313, he was parson of the parish of Eversley, in Hampshire, of the manor and advowson of which Alan and Amicia became possessed in 5 Edward I.

He was constituted a baron of the Exchequer on October 3, 1336, 10 Edward III.; but though, from his being one of those who undertook to raise wool for the king's aid in the parliament of July, 1340, 14 Edward III., he seems to have been then in office, his name was not included in the new patent for the barons of the Exchequer on January 20, 1341.[1]

## HAMBURY, HENRY DE.

Just. K. B. 1308.

HAMBURY, or HANBURY, is a parish in Worcestershire, where the father and grandfather of Henry de Hambury, both named Geoffrey, resided. It is parcel of the forest of Feckenham, of which Nicholas de Hambury, Henry's elder brother, was appointed custos in 17 Edward II. In the same year a licence was granted to Henry to receive the manor of Holeweye in that county from the Abbot of Bordesley[2]; and both he and his next brother Robert were soon after connected with Wales, as Henry was one of the manucaptors for the members returned to parliament for Beaumaris in 20 Edward II.[3]; and Robert was the king's chamberlain for North Wales at the beginning of the next reign.[4]

I do not find Henry's name as an advocate in the Year Books; but he was made one of the judges of the King's Bench in Ireland in 17 Edward II., and was raised to the office of chief justice of the Common Pleas there in the

[1] Abbrev. Rot. Orig. i. 198.; Abbrev. Placit. 191.; Dugdale; Rot. Parl. ii. 119.

[2] Abbrev. Rot. Orig. i. 278. 281.

[3] Parl. Writs, ii., P. i. 364.

[4] Abbrev. Rot. Orig. ii. 48. 53. 71.

following year.[1] He was soon afterwards removed from that country, being appointed a judge of the King's Bench in England in 2 Edward III., 1328, acting in the same year among the justices assigned to try felonies in Gloucestershire and four other counties.[2] The cause of his elevation to the bench may have been his connection with Thomas, Earl of Lancaster; for his adherence to whom he had received a pardon in 12 Edward II., and in the sixteenth year was a surety for the payment of a fine by another person who had been imprisoned for the same cause.[3] In 19 Edward III. he endowed a chaplain with some land at Dovebrygg, in Derbyshire, reserving to himself ten librates of land at Snelleston in the same county[4]; and he is mentioned as being alive in the twenty-sixth year in the herald's visitation of Worcestershire.[5] He must, however, have long retired from the bench, as the Liberate Roll does not name him among the judges in 12 Edward III.

His lineal descendants are divided into several opulent branches, two of which have been recently ennobled; one having been created Baron Bateman, of Shobden, in the county of Hereford, on January 30, 1837; and the other, Baron Sudely, of Toddington, in the county of Gloucester, on July 12, 1838.

## HEPPESCOTES, THOMAS DE.

JUST. C. P. 1341.

THOMAS DE HEPPESCOTES was one of those who were appointed to supply the places of the judges removed on the king's return from Tournay. His patent is dated January 8, 1341, 14 Edward III.; but his continuance in the court did not last beyond the end of the year, when his death

[1] Cal. Rot. Pat. 94. 96.; Smyth's Law Off. of Ireland, 114.
[2] Abbrev. Rot. Orig. ii. 24.
[3] Parl. Writs, ii., P. ii. 130. 205.
[4] Cal. Inquis. p. m., ii. 126.
[5] Family Pedigree.

may be presumed to have occurred, as no further mention is made of him. He was probably a native of Northumberland, where there is a hamlet called Hepscott in the parish of Morpeth. His name appears both as advocate and judge in the Year Books, but not later than the above period.[1]

## HERLASTON, WILLIAM DE.

KEEPER, 1328. JUST. ITIN. 1333.

*See* under the Reign of Edward II.

WILLIAM DE HERLASTON no doubt came from the place of that name in Staffordshire. He was connected with the court in the early part of the reign of Edward II., accompanying that king abroad in the sixth year in the train of Ingelard de Warlee, keeper of the wardrobe.[2] He soon afterwards became a clerk in the Chancery, and was parson of the church of "Estwode near Reylegh," in which character he presented a petition in 1315, 8 Edward II., praying to have the tithe "Pullanorum" restored to him, which he alleged that his predecessors had received until the park came into the king's hands.[3] In July, 1319, 13 Edward II., he had a grant of the prebend of Carnwyth in the church of Glasgow.[4]

According to the practice of the time, the Great Seal was placed in the custody of some of the clerks of the Chancery, during the occasional absence of the chancellor, and they transacted the business appertaining to it. William de Herlaston was frequently one of those intrusted with this duty. In the reign of Edward II. he held it from April 18 to May 3, 1321; from December 15, 1321, to March 3, 1322; and from June 5 to August 20, 1323, under the chancellor,

[1] Dugdale's Orig. 45.; Rot. Parl. ii. 126. Rot. Parl. i. 343.

[2] N. Fœdera, ii. 213.

[3] N. Fœdera, ii. 401.

John Salmon, Bishop of Norwich; and from August 8 to a day not named; and from November 16 to December 12, 1324, under the chancellor, Robert de Baldock, Archdeacon of Middlesex.[1] He was also in the latter part of this reign keeper of the king's Privy Seal.[2]

In 2 Edward III. he and Henry de Cliff, the master of the Rolls, were appointed keepers of the Great Seal from March 1 to May 12, 1328, during the vacancy in the office of chancellor[3]: and under Henry de Burghersh, Bishop of Lincoln, then made chancellor, he acted in the same character several times during that and the following year; viz., from July 1 to 30; from August 17 to 26, 1328; from January 15 to 19; and from May 31 to June 11, 1329, 3 Edward III.[4] After this date he does not appear in connection with the Great Seal, nor is he afterwards expressly mentioned among the clerks of the Chancery.

His name, however, frequently occurs in the Year Book as "clerk" from 17 to 27 Edward III., the reports from the tenth to the seventeenth year being wanting. He is also noticed as a trier of petitions in the parliament of the twenty-first, and Dugdale introduces him among the justices itinerant in the twenty-second year.

## HERLE, WILLIAM DE.

CH. C. P. 1327. JUST. C. P. 1329. CH. C. P. 1331.

*See* under the Reign of Edward II.

ALTHOUGH Fuller, in his Worthies, states that it is probable that William de Herle was born in Devonshire, because he was owner of Ilfracombe[6], the preponderance of evidence seems to be in favour of Leicestershire; both Robert de Herle, apparently his father, and he having been summoned

[1] Parl. Writs, ii., P. ii. 1001.
[2] Rot. Parl. ii. 383.
[3] Rot. Claus. 2 Edw. III., m. 33.
[4] Hardy's Catalogue.
[5] Rot. Parl. ii. 164.
[6] Fuller's Worthies (1811), i. 281.

by the sheriff of that county, the former in 1301, 29 Edward I., to perform military service, and the latter in 1324, 17 Edward II., to attend the Great Council at Westminster.[1] The principal part of his property was certainly in that county.

He was brought up to the law; and his name frequently appears in the Year Book of Edward the Second's reign, before he was a judge. In 4 and 6 Edward II. he was summoned as an assistant to parliament, apparently in the character of a serjeant-at-law; and in the ninth year he was one of three "qui sequuntur pro Rege" in a suit against the men of Bristol[2]; these three and another in the same year having a grant of 20*l.* per annum each for prosecuting and defending the king's causes.[3] The wardrobe account of 14 Edward II., 1320, contains the entry of a payment to him of the large sum of 133*l.* 6*s.* 8*d.* in these words: "To William Herle, King's Serjeant, who, by the king's order, will shortly receive the honor of knighthood, of the king's gift, in aid of his rank, 6th of August."[4] He was probably knighted in preparation for his taking his seat on the bench, to which he was raised on the 16th of the following October, as a justice of the Common Pleas, in the room of John de Benstede.

Previously to that year we find him only once employed in a special commission, in 12 Edward II., for the trial of sheriffs, &c.: but in all the parliaments, from 10 to 14 Edward II., he was summoned to assist, his place in the list showing that his attendance was required as a serjeant, although no title is attached to any of the names. On his becoming a judge, he is placed in a higher position in the list.[5] He was several times employed by Edward II. in negotiations with the Scots, and had a grant in 1325 of ten marks for his services therein.[6]

[1] Parl. Writs, i. 355., ii. 639.
[2] Rot. Parl. i. 359.
[3] Dugdale's Chron. Series.
[4] Archæol. xxvi. 345.
[5] Parl. Writs, ii., P. ii. 1001.
[6] N. Fœdera, ii. 594.

He retained his seat in the Common Pleas till the end of the reign; and, on the accession of Edward III., was immediately made chief justice of that court, his patent being dated February 4, 1327, with an augmentation of his salary, according to Fuller, of 240 marks a year. Though he was displaced on September 3, 1329, by John de Stonore, it is evident he still continued to act as a judge, as he was at the head of the justices itinerant in Nottinghamshire in the following December, and also, in the succeeding year, in Derbyshire. He was restored to his place as chief justice on March 2, 1331, and was again removed on November 18, 1333; but Henry le Scrope, who was then appointed, resumed his seat at the head of the Exchequer on the next day. The cause of these changes can only be inferred; but William de Herle, from that day, presided till July 3, 1337, 9 Edward III., when, at his own request, he was allowed to retire from his office, on account of his age and infirmities. The patent spoke in eulogistic terms of his approved fidelity, the solidity of his judgment, the gravity of his manners, and his laudable and unwearied services to the state; and required him to remain on the secret council, and to attend at his pleasure during the rest of his life.[1]

He lived nearly twelve years after his retirement from the bench, the date of his death being 21 Edward III., 1347.

Through his wife Margaret, the daughter and heir of William Polglas, by Elizabeth, the heir of Sir William Champernon, the manor of Ilfracombe, and other large property in Devonshire, came into his possession. He left a son named Robert, who died without male issue in 38 Edward III.[2]

[1] N. Fœdera, ii. 913.

[2] Cal. Inquis. p. m., ii. 135. 265.; Prince's Worthies of Devon; Nicholl's Leicestershire, 622.

## HILDESLEY, JOHN DE.

B. E. 1332.

JOHN DE HILDESLEY was parson of the church of Thynden and canon of Chichester in the reign of Edward II.; from the tenth year of which, till the seventh year of the next reign, he was continually employed in diplomatic missions to various courts. He was raised to the bench of the Exchequer on December 18, 1332, 6 Edward III., having evidently been previously an officer connected with that department, accompanying the treasurer, in 3 Edward III., when he went abroad with the king. He remained in this office somewhat less than two years, being superseded on September 9, 1334, by Adam de Lymberg, on his becoming chancellor of the Exchequer. He is so called in 12 Edward III., and is named two years afterwards as a trier of petitions in parliament.[1]

## HILLARY, ROGER.

JUST. C. P. 1337. CH. C. P. 1341. JUST. C. P. 1342. CH. C. P. 1354.

THE family of Hillary is a very ancient one, and in the reigns of the Edwards possessed large property in the counties of Lincoln, Warwick, and Stafford. Roger Hillary was the son of William and Agnes Hillary; and, pursuing the profession of the law, is frequently mentioned as an advocate in the Year Books of Edward II. and Edward III. He and his brother Richard were procurators for the Abbot of Coventry in the parliament of 18 Edward II.

He was raised to the Irish bench as chief justice of the Common Pleas in 3 Edward III., where he remained for eight years. He was then constituted a judge of the same court in England on March 18, 1337, 11 Edward III.; to

[1] N. Fœdera, ii. 329. 589. 606. 764—875.; Dugdale; Rot. Parl. ii. 99. 114.; Cal. Rot. Pat. 120.

the head of which he was advanced on January 8, 1341, in the room of John de Stonore. Dugdale, in his Chronica Series, makes William Scot supersede him in that office on April 27; but this is evidently an error, as the latter was then and for some years afterwards chief justice of the King's Bench. On May 9, 1342, however, Roger Hillary made way for John de Stonore on his restoration to the chief justiceship; receiving himself, on June 4, a new patent as a judge on that bench. On the death of Stonore in 28 Edward III., Roger Hillary was, on February 20, 1354, again constituted in his place, and continued to preside in the court for the short remainder of his life.

His death occurred before June 27, 1357, when his successor was appointed. By his will he desired to be buried in the church of All Saints, in Staffordshire, in which, and in the two other counties above named, he left many manors and extensive property. By his wife Katherine he had, besides other children, a son Roger, who was probably the serjeant-at-law mentioned in the Year Books of 40 Edward III.[1]

## HOTHAM, JOHN DE, BISHOP OF ELY.

CHANCELLOR, 1327.

*See* under the Reign of Edward II.

THE ancestor of John de Hotham was John de Trehouse, who, for his assistance to the Conqueror at the battle of Hastings, obtained, with other grants, that of the manor of Hotham, in Yorkshire, the name of which was eventually adopted by the family. John de Hotham was a younger son, and in 14 Edward I. had lands at Crauncewyke, in that county[2]; in which he was also assessor of the tenth granted in the twenty-seventh year of the reign.[3]

[1] Parl. Writs, ii., P. i. 333.; Cal. Rot. Pat. 106.; Rot. Parl. ii. 119–254.; Cal. Inquis. p. m., ii. 199.; Test. Vet. i. 61.; Dugdale.

[2] Abbrev. Placit. 209.

[3] Parl. Writs, i. 27.

In the second year of Edward II. he was sent to Ireland as chancellor of the Exchequer[1]; but in the two next years we find him acting as the king's escheator on both sides of the Trent.[2] In the following year, October 6, 1311, the king, with high encomiums of his character, addressed a letter to the pope, earnestly praying a dispensation in his favour; and some explanation of the royal countenance he thus received is given by the fact that he was "custos domorum" of Peter de Gaveston in the city of London.[3] The termination of Gaveston's career in June, 1312, did not, however, interrupt Hotham's advance; for on December 13 he was made chancellor of the Exchequer in England; and in May, 1313, being then called Canon of York, was sent on a mission to the court of France. In August, 1314, and again in September, 1315[4], he went with extraordinary powers to Ireland, then invaded by Edward Bruce, the king of Scotland's brother, to effect a reconciliation with the barons, and to treat with the natives. In this he was only partially successful; for though he induced the tenants of the crown to associate in binding themselves, under the penalties of forfeiture, to aid each other to the utmost in their efforts against the common enemy, he made little impression on the chiefs of the natives.[5] It does not appear that while thus employed he was removed from his office of chancellor of the Exchequer, which he certainly held in Easter, 1316[6], and probably did not retire from it till his election to the bishoprick of Ely, which took place on July 20, as Hervey de Staunton received the appointment two days afterwards.

The new bishop was consecrated on October 3, and soon after went on a mission to Rome. On May 27, 1317, 10 Edward II. he was raised to the treasurership of the Exchequer

[1] Cal. Rot. Pat. 69.
[2] Abbrev. Rot. Orig. i. 168—174.
[3] N. Fœdera, ii. 147. 157.
[4] Ibid. 211. 213. 252. 256. 276.
[5] Lingard's England, iii. 306.
[6] Madox's Exch. ii. 327.

in the place of Walter de Norwich, and held that office till June 10, 1318, when he was succeeded by John de Walewayn.[1] On the following day the Great Seal was delivered to him as chancellor; but for the next six or seven weeks he was obliged to leave the duties of his office to be performed by deputies, as he was engaged in frequent journeys on the king's affairs[2]; probably in promoting that reconciliation with the barons which was effected in the following October. He held the Great Seal for about nineteen months, during the latter part of which period he was engaged in negotiating a truce with the Scots.[3] On his resignation on January 23, 1320, it was delivered to John Salmon, Bishop of Norwich[4]; but Hotham still continued to be employed by the king on several confidential missions.

Three days after the accession of Edward III., viz. on January 28, 1327, he was again entrusted with the office of chancellor, and continued to perform its duties till March 1 in the following year.[5] He then retired from its labours, and during the remainder of his life devoted himself to the administration of his diocese.

Godwin says that he was provost of Queen's College, Oxford, and was chancellor of that university; but his annotator, Dr. Richardson, states that the college was not yet founded, nor was there at that period any chancellor of the university.

His expenditure for his cathedral was enormous for those times; first, in the completion of the presbytery which had been commenced a century before by Bishop Norwold; and next in restoring the campanile of the church, which had fallen down and been reduced to ruins. His confirmation to the see of the manor of Oldbourne, in London, was another of the liberal acts which illustrated his presidency. During the

[1] Madox's Exch. ii. 39.
[2] Rot. Claus. 11 Edw. II., m. 3.
[3] N. Fœdera, iii. 409, 410.
[4] Rot. Claus. 13 Edw. II., m. 9.
[5] Ibid. 1 Edw. III., p. 1. m. 25., 2 Edw. III., p. 2. m. 11.

last two years of his life he was entirely disabled by paralysis, which terminated in his death, at his palace of Somersham, on January 25, 1336, leaving behind him a high character for piety, prudence, and liberality.[1]

His nephew was summoned to parliament as a baron in 8 Edward II., but not afterwards.[2] It was the descendant of that nobleman who was created a baronet in 1641, and whose conduct as governor of Hull, in the civil wars, led to his own and his son's untimely execution. From his grandson descended Sir Beaumont Hotham, a baron of the Exchequer in the reign of George III.; whose elder brother, Admiral William Hotham, having been raised to the peerage of Ireland, by the title of Baron Hotham of South Dalton, and dying without issue, was, under a special remainder, succeeded by Sir Beaumont, whose grandson is the present peer.[3]

## HOUGHTON, ADAM DE, Bishop of St. David's.

Chancellor, 1377.

*See* under the Reign of Richard II.

## HOUGHTON, JOHN DE.

B. E. 1347.

John de Houghton, or Houton, who probably was the father of the above-named Adam, was connected in early life with the Exchequer. In 19 Edward II. he accompanied the king to France in that character, and was then the parson of the church of Postwick, a parish in Norfolk. In that county he had the manor of Wormegay and considerable property, with part of which he endowed the priory of the Holy Cross there. In 1 Edward III. he is called clerk of John de Wodehouse, keeper of the wardrobe; and was advanced to be one of the chamberlains of the Exchequer in

[1] Godwin de Præsul. 260.

[2] Dugdale's Baronage, ii. 91.

[3] Biographical Peerage, iv. 383.

the twelfth year; in which office he continued till he was called to the bench of that court as a baron on March 8, 1347, 21 Edward III. How long he remained there does not appear, nor are we told the time of his death.[1]

## HUSE, JAMES.

B. E. 1350.

ALTHOUGH there is nothing positive to show that James Huse was related to the baronial family of that name which flourished at this time, it is not improbable that he was a younger scion of it. He was made a baron of the Exchequer on April 16, 1350, 24 Edward III., on the elevation of Gervase de Wilford to the chief seat in that court. We know little more of him, than that he is mentioned in the Year Book of 26 Edward III., and that in the thirty-fourth year he was employed as a commissioner to treat with the people of the counties of Somerset, Dorset, Wilts, Devon, and Cornwall, as to raising forces for the defence of the kingdom.[1]

## IFELD, JOHN DE.

JUST. ITIN. 1329.

JOHN DE IFELD was born at Ifeld, in the county of Kent, and was the third son of Thomas de Ifeld, who died in 34 Edward I., when he was thirteen years of age.[3] He held property not only in Kent, but in Surrey and Sussex; and during the reign of Edward II. he was actively employed in the preservation of the peace of those counties, and in assessing the aids imposed by parliament, and arraying the men-at-arms within them.[4] In 1 Edward III. he was one

[1] N. Fœdera, ii. 606., iii. 25. 53.; Cal. Inquis. p. m., ii. 69.; Devon's Issue Roll, 139.; Cal. Exch. iii. 166.; Dugdale.

[2] Dugdale's Chron. Series; N. Fœdera, iii. 469.

[3] Cal. Inquis. p. m., i. 208.; Abbrev. Rot. Orig. i. 151.

[4] Parl. Writs, ii., P. ii. 1037.

of the perambulators of the forests south of Trent[1]; and in the third year, 1329, was named as a justice itinerant into Nottinghamshire. In the three following years he represented his native county in parliament, and is mentioned as late as 13 Edward III. as a commissioner of array for Surrey.[2]

## INGE, JOHN.

Just. C. P. 1331.

JOHN INGE, though probably of the same family as William Inge, the chief justice in the last reign, was of a different branch of it. He was settled in Somersetshire, and, being no doubt brought up to the law, was employed from 10 Edward II. in various judicial commissions within that county, and also acted there as assessor of the aids granted by Parliament. In 15 Edward II. he was sheriff of Devonshire; and three years afterwards had the castles, towns, and honors of Roger de Mortimer in Wygeton and Ludlow committed to his custody.

On January 18, 1331, 4 Edward III., he was made a judge of the Common Pleas; and fines were acknowledged before him as late as Michaelmas, 1340, 14 Edward III.; in which year he is also mentioned as a trier of the petitions to parliament. He died about 20 Edward III., leaving, by his wife Alicia, a son named John, at whose death, in the fortieth year of that reign, the property devolved on his daughter, Johanna.[3]

[1] Rot. Parl. ii. 425.

[2] Dugdale; Hasted's Kent, i. 238.; N. Fœdera, ii. 1071.

[3] Parl. Writs, ii., P. ii. 1039.; Abb. Rot. Orig. i. 25. 282., ii. 291.; Dugdale's Orig. 45.; Rot. Parl. 37. 78. 114.; Cal. Inquis. p. m., ii. 132. 151. 285.

## INGELBY, THOMAS DE.

JUST. K. B. 1361.

*See* under the Reign of Richard II.

## KELLESHULL, RICHARD DE.

JUST. C. P. 1341.

THE pleadings of Richard de Kelleshull as an advocate appear in the Year Books of the early part of the reign of Edward III. He was probably the son of Gilbert de Kelleshull, to whom a pardon was granted in 15 Edward II., for all felonies, &c. committed in the "pursuit" of the Despencers [1]; and who was steward of the household to the chancellor, Richard de Bynteworth, Bishop of London, at the time of his death in 1339.[2] The family no doubt came from Kelshull in Hertfordshire.

Richard was appointed to several judicial commissions from 9 Edward III., but was not raised to the bench of the Common Pleas till May 30, 1341, 15 Edward III. We do not think that he continued in that court much beyond Hilary, 1354, 28 Edward III., that being the date of the last fine levied before him; and his name not occurring among the judges mentioned in the Year Book in the following year.

He was alive, however, three years afterwards, when he enfeoffed the parson of the church of Heydon, in Essex, with that manor and advowson. He had a son named John, who died in 41 Edward III.[3]

## KIRKETON, ROGER DE.

JUST. C. P. 1372.

*See* under the Reign of Richard II.

[1] Parl. Writs, ii., P. ii. 166. [2] N. Fœdera, ii. 1101.
[3] Abbrev. Rot. Plac. ii. 99. 110. 246. 291.; Dugdale's Orig. 45.

## KNYVET, JOHN.

Just. C. P. 1361. Ch. K. B. 1365. Chanc. 1372.

The family of Knyvets was of very ancient descent, having been settled in England previous to the conquest. In the reign of Edward II. Richard Knyvet of Southwick, in Northamptonshire, was appointed custos of the Forest of Clyve, in that county. He married Johanna, the daughter and heir of John Wurth, a Lincolnshire knight, and was alive in 19 Edward III.[1] John Knyvet was their eldest son, and within two years of that date was practising as an advocate in the courts.[2] Ten years afterwards, 31 Edward III., he was called to the degree of the coif; and we have Sir Edward Coke's authority that he was "a man famous in his profession," [3] his subsequent advances in which give weight to the character.

On September 30, 1361, 35 Edward III., he was constituted a justice of the Common Pleas; and in four years was promoted to the office of chief justice of the King's Bench in the place of Sir Henry Green, his patent being dated October 29, 1365, 39 Edward III.[4]

From the difference of his designation, in the entries on the parliament Roll, it would appear that he was knighted in 1363.[5]

The king, in compliance with the petitions of the Commons, determined, in 1371, on placing the Great Seal in the hands of laymen. Robert de Thorpe, whom he had then appointed, having died in the following year, it was deemed advisable to continue the experiment for some time longer. Sir John Knyvet was accordingly removed from the presidency of his court, and constituted chancellor on June 30,

[1] Abbrev. Rot. Orig. i. 280., ii. 173.; Cal. Inquis. p. m., i. 245., ii. 330.
[2] Year Book, Edw. III.
[3] Fourth Inst. 79.
[4] N. Fœdera, iii. 777.
[5] Rot. Parl. ii 275. 283.

1372.[1] During the four years and a half that he retained the office he acted with great wisdom and discretion; but the king, being at the termination of that period under the influence of the Duke of Lancaster, was induced to revert to the old practice of having ecclesiastical chancellors; and Adam de Houghton, Bishop of St. David's, was substituted for Sir John on January 11, 1377.[2] We have a proof in the Year Book of 48 Edward III., fol. 32, pl. 21, that Knyvet, while chancellor, used to visit his old court. It is there stated, "Et puis Knivet le Chanc. vyent en le place, et le case luy fuit monstre par les Justices, et il assenty," &c. The king survived about five months, and Sir John Knyvet was one of the executors of his will, which was dated October 7, 1376. He was also executor of the wills of Sir Robert Thorpe, his predecessor in the chancellorship, and of Mary, Countess of Pembroke[3]; from which we may fairly deduce that he had exhibited a character worthy of confidence.

He lived several years after; and, although he did not resume under Richard II. either of his former posts, he was present in each of the first four parliaments of that reign, and was always named among the triers of petitions, immediately above the two chief justices. It shows the consideration in which he was still held, that to him, in conjunction with these two learned persons, an important question between the Earl of Pembroke and William la Zouch of Haryngworth was submitted.[4]

The inquisition at his death, in 4 Richard II., details a vast extent of property in Northampton, Cambridge, and several other counties. By his wife Alianora, the elder daughter of Ralph Lord Basset of Weldon, who survived him for eight years[5], he left a son of the same name as his own, whose descendants flourished till the end of the seventeenth cen-

[1] Rot. Claus. 46 Edw. III., m. 20.
[2] Ibid. 50 Edw. III., p. 2. m. 7.
[3] Testam. Vetust. pp. 11. 88. 100.
[4] Rot. Parl. iii. 4—89. 79.
[5] Cal. Inquis. p. m., iii. 30. 101.

tury, and by various intermarriages acquired large additions to their possessions. The principal branch was established at the castle and manor of Buckenham, in Norfolk, in 1461; and Philip, its representative, was created a baronet at the first institution of that order in 1611. The title, however, became extinct by the death of his son in 1699 without issue. Other branches made themselves eminent in various ways; and one of them, Sir Thomas Knyvet, having been of the bedchamber of Queen Elizabeth and of the Privy Council of James I., was instrumental in the discovery of the Gunpowder Plot, and was raised to the peerage by the title of Lord Knyvet of Escrick in Yorkshire, on July 4, 1607; but dying without children in 1622, the barony became extinct.

The barony of Clifton is supposed to be in abeyance in this family; and that of Berners, after an abeyance of nearly one hundred years, was restored to, and is now held by, one of its representatives.[1]

## LANGHAM, SIMON DE, Abbot of Westminster, Bishop of Ely, Archbishop of Canterbury, Cardinal.

Chancellor, 1363.

The monks of Westminster had reason to rejoice when Simon de Langham entered their fraternity. From the time of his becoming a monk there in 1335 till his death, forty years afterwards, he was a devoted friend to their house. Appointed prior in April, 1349, he, on the death of Simon de Burcheston at the end of the next month, was elected abbot. He then applied his early savings to the discharge of the engagements of the monastery; he suppressed its abuses, regulated its discipline, and gained the esteem of the brotherhood by his kind and equitable sway. When, after presiding with singular credit for thirteen years, he was

[1] Dugdale's Baron. ii. 424.; Blomefield's Norfolk, i. 257.; Burke's Extinct Baronetage; Nicolas's Synopsis.

raised by his merits to the treasurership and chancellorship of the realm, and was advanced in the church to the bishoprick and the primacy, he still proved his regard for his first refuge, by purchasing additional estates for the establishment; and even in his last hours, and after eight years absence from his country, his lasting affection to the house was still further evidenced by a splendid bequest of books, vestments, and money, and a direction that his body should be deposited in one of its chapels.[1]

Nothing remains by which to explain the origin of the name he went by; and we cannot expect to trace a family descent for an inhabitant of the cloister. His sagacious management of the monastic revenues pointed him out as well fitted for the office of treasurer of the kingdom, to which he was raised on November 21, 1360, 34 Edward III.; and his piety and learning caused his election, two years afterwards, to two bishopricks, London and Ely, both of which happened to be then vacant. He was appointed, by his own selection, to the latter on January 10, 1262, and the temporalities were restored on March 19.

He continued treasurer till February, 1363; when he succeeded William de Edington, Bishop of Winchester, as chancellor. It is curious that by the latter title he attests the confirmation of the treaty with the king of Castile, dated the 1st of that month, although the Great Seal was not delivered to him, nor did he take the oath, till the 19th.[2] On July 22, 1366, he was translated to Canterbury by papal provision, and about the same time must have resigned the Great Seal, though the record of this proceeding does not exist. William of Wykeham is, however, mentioned as chancellor on the 16th of the following September.

During his primacy he greatly exerted himself in the cor-

[1] Monast. i. 275.

[2] N. Fœdera, iii. 687. 689.; Rot. Claus. 37 Edw. III., m. 39.

rection of the abuse of the privilege of pluralities, and settled the dispute between the London clergy and their parishioners by fixing the rate of tithe at one halfpenny in the pound. The archbishop, however, incurred some censure by the removal of John Wickliffe from the headship of Canterbury Hall in Oxford; but this was in consequence of the appointment having been contrary to the statutes of Simon Islip, its founder. And if this Wickliffe be the same man as the reformer, of which some doubt has been lately raised, there is evidence in his writings to show that his attacks on the popish exactions were not occasioned by this quarrel, as he had commenced them some years earlier.

On September 27, 1368, Pope Urban V. promoted Langham to the dignity of a cardinal presbyter, by the title of St. Sixtus. The king taking umbrage at his acceptance of it, he resigned the archbishoprick on November 27, and retired to Avignon. Pope Gregory XI. advanced him to the title of Cardinal Bishop of Preneste, having first employed him in several negotiations in 1372, to mediate peace between the kings of England and France and the Earl of Flanders, during which he revisited his native country. In these treaties he is styled the Cardinal of Canterbury, and the king calls him his "dear and faithful friend."[1] It is certain that he retained so much of the royal favour as to be permitted to hold various preferments at this time in England. Besides a prebend in the church of York, he was Treasurer and Archdeacon of Wells, and Dean of Lincoln; his filling the latter place while a cardinal being the subject of a complaint to the parliament of April, 1376.[2]

It is stated that at this time he had applied for and procured permission to return to England, and that he projected the rebuilding of Westminster Abbey. But all his plans

[1] N. Fœdera, iii. 932—970.

[2] Rot. Parl ii. 339.

were frustrated by a paralytic stroke, which occasioned his death on July 22, 1376. He was first buried in the church of the Carthusian monastery which he had founded in Avignon, and was three years afterwards removed to St. Benet's Chapel in Westminster Abbey, where his tomb still remains.

The progress of his advance from the lowest position to the highest posts in the state and the church; the confidence reposed in him by a sovereign by no means deficient in judgment; his conduct in his various offices, whether lay or ecclesiastical; all tend to add credit to the character that is given him as a man of great capacity, wise, affable, temperate, and humble. Of his munificence we have evidence in his benefactions to Westminster, which are said to have extended to the large sum of 10,000*l.*; so that we are inclined to consider the "railing hexameters" on his translation from Ely to Canterbury—

> Lætentur cœli, quia Simon transit ab Ely;
> Cujus in adventum flent in Kent millia centum,

rather as the malicious effusion of an individual enemy than as the expression of popular feeling.[1]

LICHFIELD, DEAN OF. *See* J. DE BUKYNGHAM.

LINCOLN, ARCHDEACON OF. *See* J. DE STRATFORD; W. OF WYKEHAM; R. DE RAVENSER.

LINCOLN, BISHOP OF. *See* H. DE BURGHERSH; J. DE BUKYNGHAM.

LINCOLN, DEAN OF. *See* J. DE OFFORD.

## LODELOWE, THOMAS DE.

CH. B. E. 1365.

THREE families of the name of Lodelowe (Ludlow) flourished in the reign of Edward II., two of which sent members to

[1] Godwin de Præsul. 115. 261.; Weever, 479.; Le Neve, 6. 39. 44. 69. 145.; Angl. Sac. i. 46.; Dugdale's Monast. i. 275.; Chalmers's Biog. Dict.

parliament respectively for Shropshire and Surrey; one possessing the manor of Hodnet in the former county, and the other that of Walton in the latter. The third held the manor of Campedene, in Gloucestershire.[1] To which of these families Thomas de Lodelowe belonged it is not easy to determine with any certainty; but he himself appears to have been established in Kent, as in 33 Edward III., he was one of the commissioners for keeping the peace in that county, and in 46 Edward III. was among the custodes of the sea-shore there.[2]

He was constituted chief baron of the Exchequer on October 29, 1365, 39 Edward III., in the place of Sir William de Skipwith, and acted as a trier of petitions in all the subsequent parliaments till the 47th year.[3] During this period he is several times mentioned in the Year Books as a justice of assize; for which he received a fee of 20*l.* yearly, in addition to his salary of forty marks as chief baron.[4] On February 3, 1374, 48 Edward III., William Tanks was appointed his successor; but from the difficulty of ascertaining to which family he belonged, we know not whether he died at that time.

LONDON, Bishop of. *See* R. de Bynteworth.

## LOUTHER, THOMAS DE.

Just. K. B. 1330.

Thomas de Louther was the second son of Hugh de Louther, of Westmoreland, the attorney-general of Edward I., and a justice itinerant in that and the following reign.[5] He was constituted a judge of the King's Bench on December 15, 1330, 4 Edward III., and in the same year was joined in

[1] Parl. Writs, ii., P ii. 1126.; Cal. Inquis. p. m., i. 123. 255. 283.
[2] N. Fœdera, iii. 464. 952.
[3] Rot. Parl. ii. 289—317.
[4] Issue Roll, 44 Edw. III., 83. 280.
[5] See antè, p. 275.

the commission for the county of Bedford. He remained in that court only till the following year, when he was appointed chief justice of the King's Bench in Ireland, retaining the office in 8 Edward III., when the king granted to him, in that character, the first custody of all the heirs and lands in Ireland which devolved to the crown.[1] But in the course of the same year he was superseded by Robert de Bourchier on July 16, 1334, being, however, at the same time, directed to proceed to Dublin to take upon himself the office of chief justice, in case Robert de Bourchier declined to go, with a mandate to act as second judge if Bourchier went.[2] It seems probable that he took the second place accordingly; for we find him again raised to the chiefship in 1338, 12 Edward III.[3] How long he remained there afterwards, or when he died, does not appear; but in 33 Edward III. a commission was issued to inquire into a charge made against a Thomas de Louther, and John de Louther the son of his brother, for a breach of the law of arms in forcing a Scottish knight, made prisoner, to pay a second ransom for his release.[4]

He is said to have left issue, but no account of them remains.[5]

## LYMBERGH, ADAM DE.

B. E. 1334.

ADAM DE LYMBERGH, who was of a Lincolnshire family, was in constant employment in offices of trust and responsibility, under both Edward II. and III. In the fifth year of the former reign, October 8, 1311, he was appointed one of the remembrancers of the Exchequer, and frequent entries occur, showing his active engagement in its duties till

[1] Cal. Rot. Pat. 113. 120.
[2] N. Fœdera, ii. 891.
[3] Cal. Rot. Pat. 133.
[4] N. Fœdera, iii. 418.
[5] Collins's Peerage, v. 696.

15 Edward II. He was then made constable of Bordeaux, where he remained three or four years; and afterwards, on the accession of Edward III., became keeper of the Privy Seal. From 5 to 8 Edward III., he was chancellor of Ireland, in which character he is mentioned in the latter year, so late as July 16, 1334.

From this office he was transferred to the English court of Exchequer, in which he became a baron on November 9, 1334; and probably sat there till his death in 13 Edward III., when his manor of Severbege, and his lands in Torkeseye and Navenbye, all in Lincolnshire, descended, he being an ecclesiastic, to his sister Matilda.[1]

## MALBERTHORP, ROBERT DE.

Just. K. B. 1327. Ch. K. B. 1329.

*See* under the Reign of Edward II.

Robert de Malberthorp was so called from a manor of that name in Lincolnshire. In the sixth and eighth years of the reign of Edward II., he is mentioned in connection with property in that county[2]; but we find nothing to show his proceedings as a lawyer, except his occasional employment in commissions there, from 10 Edward II. till he was raised to the bench. This event occurred some time in the fourteenth year, probably after August 6, 1320, when Lambert de Trikingham was removed into the Exchequer, and Robert de Malberthorp appears to have taken his place in the King's Bench. From that time till the end of the reign, he was actively engaged in the performance of his judicial duties, principally in the country.

His re-appointment on the accession of Edward III. was

[1] Madox's Exch. ii. 267.; Parl. Writs, ii., P. ii. 1096.; N. Fœdera, ii. 519—596. 812. 891.; Dugdale; Cal. Inquis. p. m., ii. 89.; Abbrev. Rot. Orig. ii. 49. 130.

[2] Abbrev. Rot. Orig. i. 198. 216.

delayed on account of Queen Isabella's indignation against him, in consequence of his being concerned in the judgment pronounced, five years before, upon Thomas, Earl of Lancaster. But he obtained his pardon on March 7, 1327, on the testimony of the prelates and peers that he gave that judgment by command of the king, whom he did not dare to disobey, and to avoid danger to himself. Such is the disgraceful entry on the patent of pardon.[1] It may be presumed, therefore, that he was then permitted to resume his judicial functions. We accordingly find him acting as a justice of assize in this first year, and sitting in court in Hilary Term of the second.[2]

In the third year, he was named in the commission issued on February 2, 1329, to try certain malefactors in the city of London[3]; and on May 1 following had so entirely recovered favour, as to be promoted to the office of chief justice of the King's Bench, during the temporary absence of Geoffrey le Scrope. This lasted till October 28 in the same year, when Geoffrey resumed his seat; and Robert de Malberthorp returned to his place among the puisne judges. He remained in that court till January 18, 1331, 4 Edward III., when he was removed into the Common Pleas. The fines levied before him do not extend beyond Martinmas in the same year; and his death occurred some time either at the end of that or the beginning of the following year.

A son of his, named William, is named as early as 6 Edward II.[4]

[1] N. Fœdera, ii. 696.

[2] Year Book, Edward III.

[3] N. Fœdera, ii. 755.

[4] Rot. Parl. ii. 25. 208.; Parl. Writs, ii., P. ii. 1131.; Dugdale's Orig. 45.; Abbrev. Rot. Orig. i. 198., ii. 59.

MELTON, WILLIAM DE, DEAN OF ST. MARTIN'S, LONDON; ARCHDEACON OF BARNSTAPLE; PROVOST OF BEVERLEY; ARCHBISHOP OF YORK.

KEEPER, 1333.

*See* under the Reign of Edward II.

THE parentage of William de Melton cannot be traced with any certainty; but he seems to have been principally connected with the county of York, and is supposed to have been a native of Melton, in Holderness. In 28 Edward I., 1300, Melton was parson of the parish of Repham, in Lincolnshire[1]; and in the next year, under the title of "our beloved clerk," he was employed to pay the foot soldiers raised in Wales.[2] It appears probable, also, that he had been employed in the education of the king's son, who at this time was about sixteen years of age; for in the letter which that prince addressed to the Pope, on his behalf, in the third year of his reign, he uses these expressions, "qui a nostræ ætatis primordiis nostris insistebat obsequiis."[3]

On the accession of the young king, he was appointed comptroller of the royal wardrobe, and was afterwards advanced to be the keeper of that department. In the former character, the Great Seal was delivered to him, on January 21, 1308, to be carried abroad with the king, who was proceeding to France to marry Isabella, the daughter of Philip le Bel.[4] Another seal was given to John de Langton, the chancellor, to be used in England; which, after the king's return, was, in the following March, carried to the Exchequer by William de Melton, then bearing the additional title of "Secretarius Regis."[5] Again, on the resignation of John de Langton, May 11, 1310, the Great Seal was placed

[1] Cal. Inquis. p. m., i. 165.
[2] Parl. Writs, i. 359.
[3] N. Fœdera, ii. 107.
[4] Rot. Claus. 1 Edw. II., m. 11.
[5] Ibid. m. 7.; Madox's Exch. i. 75.

in the wardrobe, under the seals of Melton and of two of the clerks of the Chancery[1]; but on July 6, it is stated to be in the custody of the master of the Rolls, under the seals of the same two clerks.[2] The king's confidence in him is apparent, from numerous royal mandates, countersigned "nunciante W. de Melton;" from his being employed on an embassy to France; and from his being raised to the office of keeper of the wardrobe.

During this time ecclesiastical honours flowed rapidly upon him. He was made a canon of York; on August 27, 1308, he was invested with the deanery of St. Martin's, London[3], and, on October 13, in the same year, with the archdeaconry of Barnstaple[4]; in 1310, he became provost of Beverley[5]; and was elected archbishop of York, on January 21, 1316, as the successor of William de Greenfield, but was obliged to wait more than two years for his consecration[6], notwithstanding the king's numerous and urgent applications to the Pope.

On July 3, 1325, 18 Edward II., he was constituted treasurer of the Exchequer[7]; but, as the king's friend, was displaced, on the transfer of the crown to his son, in January, 1327. During the troubles in the previous year, his chapel was broken into, and his episcopal ornaments, including his pall, were stolen; and messengers were sent to the Pope, with the king's request for a new one.[8]

The new government, however, showed no ill will to the archbishop. On the contrary, in the first year of the reign of Edward III., they restored to him the rights which his predecessors had in the port of Hull, under a charter of king Athelstan, and which had been for some time invaded; and employed him also in treating for peace with the Scots.[9]

[1] Rot. Claus. 3 Edw. II., m. 6.
[2] Rot. Claus. 4 Edw. II., m. 26.
[3] Monast. vi. 1323.
[4] Le Neve, 98.
[5] Allen's Yorkshire, iii. 234.
[6] Godwin de Præsul. 685.
[7] Rot. Pat. 18 Edw. II., p. 2. m. 5.
[8] N. Fœdera, ii. 624.
[9] Ibid. 704. 797.

In 4 Edward III. he was indicted, as an adherent of the Earl of Kent, and, being fully acquitted, obtained a writ of conspiracy against his accusers.[1] That his accusation was not credited appears from his restoration to the treasurer-ship in the same year. This office he held from November 28, 1330, to April 1, 1331[2]; and on August 10, 1333[3], he was appointed sole keeper of the Great Seal during the temporary absence of John de Stratford, the chancellor. He acted in that character till January 13, when he delivered up the seal to three clerks of the Chancery, by the king's direction. It would seem that his removal was occasioned by his having confirmed and consecrated Robert de Graystanes, as Bishop of Durham, without first obtaining the king's approval; for on March 30th following, there is an entry of a grant of the royal pardon to the archbishop for that offence.[4]

He lived for five years more, and died at Cawood, on April 22, 1340, after presiding over his province for about four-and-twenty years, and expending considerable sums on his cathedral; in which his remains were deposited. The character that is given to him speaks as highly of his private as of his public life; representing him as pious, charitable, lenient, and hospitable in the former, and zealous, faithful, and energetic in the latter. In his property he was succeeded by his nephew, who died about thirty years afterwards, leaving a son; both of the same names as the archbishop.[5]

## MERES, ROGER DE.

Just. C. P. 1371.

Roger de Meres was of a Lincolnshire family, established at Kirketon in the district of Holand.[6] In 12 Edward III.,

[1] Rot. Parl. ii. 31. 54.
[2] Dugdale's Chron. Series.
[3] Rot. Claus. 7 Edw. III., p. 1. m. 3.
[4] N. Fœdera, ii. 882.
[5] Abbrev. Rot. Orig. ii. 136. 302.
[6] Ibid. ii. 318.

one of his name, probably his father, was assigned as the attorney of John, Duke of Brittany, and Earl of Richmond.[1] Roger, the son, was appointed one of the king's serjeants in 40 Edward III., receiving the annual allowance of 20*l.* for his services in prosecuting and defending suits. He was also employed while a serjeant to hold assizes in the country, for which he had a further salary of 20*l.* a year.[2] On November 27, 1371, 45 Edward III., he was raised to the bench of the Common Pleas; but there is no record of any fines being levied before a judge of that name, nor of his attending the parliament beyond November in the next year.

There are, however, some circumstances which raise a suspicion that this Roger de Meres was the same with Roger de Kirketon, and that he used both names indifferently. We know that he had property at Kirketon, and it was quite a common practice for a man to call himself after his estate. The name of Meres does not at all occur in the Year Book, which is somewhat extraordinary for one who was clearly a serjeant; but that of Kirketon is continually introduced, and the period within which the latter is mentioned not only tallies with the career of Meres, but notices him as serjeant in the right year, and terminates at the precise date required, viz. Trinity Term, 45 Edward III., 1371. Meres was constituted a justice of the Common Pleas on November 27, following; and Dugdale, while he records no fines as levied before him, introduces Kirketon, without giving the date of his appointment, from a fine acknowledged before him in February, 1372.

The name of Roger de Meres appears as a trier of petitions in the parliament of that year, and then stops; but in the next and following parliaments of the reign, Roger de Kirketon is named instead of him.[3]

Roger de Kirketon is not mentioned as a serjeant or in

[1] N. Fœdera, ii. 1024.
[2] Issue Roll, 44 Edw. III., 346. 354.
[3] Rot. Parl. ii. 309. 317.

any other way in the Issue Roll of 44 Edward III., while payments are made to Roger de Meres, both as a serjeant and a judge of assize.

The death of Roger de Meres is not noticed among the inquisitions post mortem, while that of Roger de Kirketon is in 9 Richard II.

And lastly, in 15 Richard II., John de Meres, apparently the son, in the inquisition on his death, has the addition of "de Kirketon" to his name, while a subsequent page notices a Robert de Meres de Soterton[1]; affording positive proof that the name of Kirketon was sometimes used, and, by the fact of two families of the same name existing in Lincolnshire, sufficiently accounting for the assumption by one of them of the name of his estate.

As the question, however, is disputable, I have treated them separately as two individuals, leaving it to the curious to pursue the investigation.

MIDDLESEX, Archdeacon of. *See* A. de Offord.

## MIDDLETON, PETER DE.

Just. Itin. 1330.

Peter de Middleton was one of the sons of Adam de Middleton noticed in the last reign as a justice itinerant. He was appointed to the same duty in the county of Bedford, in 4 Edward III., 1330; and in the eighth year was made a justice of the forests in Yorkshire. In 9 Edw. III., the latter county was entrusted to his custody as sheriff; but in the following year he died in possession of the manors of Stobbum and Stolkeld in Yorkshire, and of Irreby in Cumberland, and also of his father's cow pasture, called Heselspring, in the forest of Inglewood, to which his son Thomas succeeded.[2]

[1] Cal. Inquis. p. m., iii. 75. 142. 165.

[2] Dugdale; Abbrev. Rot. Orig. ii. 88. 94. 106.; Cal. Inquis. p. m., ii. 70.

## MIRFIELD, WILLIAM DE.

? KEEPER, 1371.

WILLIAM DE MIRFIELD was of a Yorkshire family, and purchased the manors of Fersleye and Shell in that county in 22 Edward III. He held the rectory of Bradford, and was a clerk or master in Chancery from the thirty-sixth to the forty-ninth year of the reign, 1362—1375, when he died. He is mentioned as residing in Holborn. On March 18, 1371, he was one of the four of those officers to whom the Great Seal was entrusted during the absence of Sir Robert de Thorpe, the chancellor; but it is not stated how long they held it. His property, on his death, was divided among his sisters, one of whom was named Johanna.[1]

## MOTELOW, HENRY DE.

JUST. C. P. 1357.

So few remains have been collected of Henry de Motelow, that nothing more can be recorded of him than that his name appears among the advocates in the Year Books from 18 Edward III.; that he was raised to the bench of the Common Pleas, on July 4, 1357, 31 Edward III.; that he had 20*l.* a year allowed him to support the order of knighthood; and that fines were not acknowledged before him later than Easter, 1361, 35 Edward III.[2]

## MOUBRAY, JOHN DE.

JUST. C. P. 1359.

THE connection of John de Moubray with the noble family of Moubray, of which there were three of the same name who were contemporaneous with the judge, we have not been

[1] Abbrev. Rot. Orig. ii. 198. 342.; Cal. Inquis. p. m., ii. 329. 346.; Rot. Parl. ii. 268—317. 340.; Rot. Claus. 45 Edw. III., m. 35.

[2] Dugdale's Orig. 45., and Chron. Series.

able to trace. He had evidently very extensive practice as an advocate from 17 Edward III.; and was one of the king's serjeants-at-law in the 28th year. His name frequently appears as a judge of assize till he was raised to the bench at Westminster. This event occurred on July 11, 1359, 33 Edward III., when he was appointed a justice of the Court of Common Pleas; and was soon after made a knight of the Bath. His continuance there may be traced by the reports in the Year Books and the fines acknowledged before him, which extend till 47 Edward III., 1373; in which year, on November 27, he delivered into the treasury the Rolls of his assizes in the northern counties.[1]

## MUTFORD, JOHN DE.

Just. C. P. 1327.

*See* under the Reigns of Edward I. and Edward II.

JOHN DE MUTFORD was of a knightly family, settled in the parish of that name in the county of Suffolk. In pursuing the profession of the law, he arrived at that eminence to be engaged in conducting the king's causes in 22 Edw. I., 1294, in which year he acted in that character in Middlesex, and is again named in Cornwall in 30 Edward I.[2] Although it does not appear that the office of attorney-general was then established in a separate individual, an entry on the Rolls of parliament in 35 Edward I., in which John de Mutford is directed to be called before the treasurer and barons of the Exchequer, to inform them of the king's right in the matter of a petition then presented[3], seems to show that his duties were very similar to those now performed by that officer. In that same year (the last of the king), he was appointed

[1] Dugdale's Orig. 45. 103.; and Chron. Ser.; Kal. Exch. i. 235.
[2] Dugdale's Chron. Series. [3] Rot. Parl. i. 197.

one of the justices of Trailbaston to act in Cornwall and nine other counties.[1]

From the commencement of Edward II.'s reign, he attended the parliament among the judges, and we find him on various occasions acting as a justice itinerant, and commanded to cause his proceedings to be estreated into the Exchequer. In 5 Edward II., he was sent to Ireland as one of the commissioners to quiet the discontents and disturbances there, and two years afterwards was summoned to appear before the council ready to proceed on the king's service to parts beyond the seas.

After being in continual and active employment as a justice of assize, he was raised to the bench at Westminster, being constituted a judge of the Common Pleas by patent, dated April 20, 1316, 9 Edward II. In this court he continued to act during the remainder of the reign, and for the first three years of that of Edward III.; the last fine acknowledged before him being dated in Hilary, 3 Edward III., 1329; and the last record of his sitting in court being Michaelmas in that year.[2]

His death occurred in the same year, and he was buried in Norwich Cathedral.[3]

## NEWENHAM, THOMAS DE.

? Keeper, 1377.

*See* under the Reign of Richard II.

## NORTHAMPTON, Archdeacons of.

*See* R. de Bury; J. de Bukyngham; W. of Wykeham.

[1] Rot. Parl. i. 218.

[2] Parl. Writs, ii. 1213.; Rot. Parl. i. 341—350.; Year Book, Part I.

[3] Blomefield's Norwich, ii. 39.

## NORTHWELL, WILLIAM DE.

B. E. 1340.

THAT William de Northwell held the office of clerk of the kitchen in the household of Edward II., appears by two writs, dated October 3, 1314, by which certain victuals, purveyed in various counties, are ordered to be delivered to him.[1] In them he is designated "*dilectus* clericus noster," showing that he was in holy orders, and that the office was considered of some importance. He was gradually advanced in his position, and we afterwards find him in 11 Edward III. clerk or keeper of the wardrobe.[2] He is so called as late as March 2, 1340, 14 Edward III.[3]; and doubtless still held the office when he was constituted a baron of the Exchequer in the place of William de la Pole on June 21 in the same year. He did not remain there long, as certain bills dated in August, September, and November, 1340, are mentioned as being under his seal as treasurer of the king's household[4]; and there is no doubt that on receiving this last appointment he retired from his seat as baron; his name not being among those constituting the court in the following January.[5]

## NORWICH, WALTER DE.

CH. B. E. 1327.

*See* under the Reign of Edward II.

BLOMEFIELD says that Walter de Norwich was the son of Geoffrey de Norwich. He was possessed of very large estates in Norfolk, Suffolk, Lincoln, and Hertford, over which he obtained a charter of free warren, together with a fair at Ling, in Norfolk. No mention is made of the commencement of his career in the Exchequer; but he had probably

[1] Parl. Writs, ii. P. ii. 82.
[2] Issue Roll, Mich. 11 Edw. III.
[3] N. Fœdera, ii. 1116.
[4] Kal. Exch. i. 165.
[5] Dugdale's Chron. Series.

been long an officer there before 35 Edward I., when he was remembrancer. In this office he acted in the first years of the next reign; and was raised to the bench as a baron of the Exchequer on August 29, 1311, 5 Edward II., on the death of Walter de Gloucester. On the 23rd of the following October, he was appointed *locum tenens* of the treasurer of the Exchequer; and on March 3, 1312, was again named baron in the place of Roger de Scotre deceased.

As he still continued to act as treasurer's lieutenant, we can no otherwise account for these two nominations as baron, than by supposing that Roger de Scotre, though not so described in his patent, held the highest place in the court, and that Walter de Norwich's second patent advanced him to fill it. It is, however, precisely the same in form as his first patent, and as those of the other barons; but the suggestion derives support from the fact that only five days afterwards John Abel was made a baron in the place of Walter de Norwich, who is described in that patent as "nunc capitalis baro," which is the first occasion on which that title is used.

The interval between this and the eighth year of the reign was devoted to the performance of the double duties of baron and of treasurer's lieutenant; but in the latter year, on being raised to the office of treasurer on September 26, 1314, he vacated his seat on the bench.

He retained the treasurership till May 30, 1317, 10 Edward II., when he was relieved from the office on account of illness, and not only received the honourable appointment of chief baron, but was also commanded to assist at the privy councils of his sovereign, whenever he was able. He is called by this title in 13 Edward II., as present on the delivery of the Great Seal; but it is remarkable that on three several occasions in 15, 16, 17 Edward II., when he was deputed to perform the duties of the treasurer in his absence, in neither of the commissions is he described as chief baron, and in two of them is called simply "unus baro de scaccario nostro."

He was immediately re-appointed chief baron of the Exchequer on the accession of Edward III., and kept his seat in the court till his death in the third year of that reign.

By his wife Margaret he had three sons, John, Roger, and Thomas; the elder of whom was summoned as a baron to parliament, but the title became extinct before the end of the reign by failure of his issue.[1]

## NOTTINGHAM, ROBERT DE.

B. E. 1327.

Two persons so called have been already noticed in the reign of Henry III.; but the surname being taken from so extensive a place, there is nothing to prove that this Robert de Nottingham was connected with them. It is possible that he was the son of William de Nottingham, who is mentioned as acting for the king in 5 Edward II., but we have not been able to trace the relationship. Robert was appointed remembrancer of the Exchequer on June 21, 1322, 15 Edward II.; and on October 15, 1327, 1 Edward III., he was raised to the office of baron of that court in the place of the second baron, William de Boudon; but on April 16, 1329, Robert de Wodehouse was made second baron. Whether this arose from the death or retirement of Robert de Nottingham does not appear; and though there are several subsequent entries of the name, some clearly belong to another person, and others have nothing to identify them with the baron.[2]

## NOTTON, WILLIAM DE.

Justr. K. B. 1355.

William de Notton was of a Yorkshire family, and probably a native of the place of that name. He became an ad-

[1] Madox's Exch. i. 75., ii. 49. 84.; Dugdale's Baron. ii. 90.; and Chron. Series; N. Fœdera, ii. 428.; Blomefield's Norwich, i. 76.; Norfolk, i. 749.

[2] Dugdale's Chron. Ser.; Parl. Writs, ii. P. ii. 194.

vocate of considerable eminence, to judge from the frequent recurrence of his arguments in the Year Books. In 20 Edward III. he had a confirmation from the king of a messuage and above 200 acres of land, part of the manor of Fishlake, in Yorkshire, by the service of one rose. In the same year he was one of the king's serjeants, and was appointed on various judicial commissions for several subsequent years. On October 12, 1355, 29 Edward III., he was constituted a judge of the King's Bench. He was subjected, in 1358, to excommunication for neglecting to appear to the pope's citation to answer for the sentence he had pronounced against the Bishop of Ely, for harbouring the man who had slain one of Lady Wake's servants.

His period of service in the King's Bench was terminated in 35 Edward III., when he is mentioned as a judge of assize in the Year Books. In that year he was constituted chief justice of the Common Pleas in Ireland; and two years afterwards he is noticed as one of the council of the king's son, Lionel, Earl of Ulster, then lieutenant of that county.

He had large property at Fishlake, with the manors of Roston and Wolveley, in Yorkshire; and he and his wife Isabella were benefactors to the priory of Bretton, in that county, and of Royston, in Hertfordshire.[1]

## OFFORD, ANDREW DE, ARCHDEACON OF MIDDLESEX.

? KEEPER, 1353.

ANDREW DE OFFORD was a brother of the undermentioned John de Offord, and, like him, was employed in diplomatic missions for many years of his life. From 17 to 29 Edward III., 1343—1355, we find him continually named on

[1] Cal. Rot. Pat. 153. 174.; N. Fœdera, iii. 101. 297. 622.; Abbrev. Rot. Orig. 212.; Rot. Parl. ii. 455.; Barnes's Edward III., 551.; Cal. Inquis. p. m., ii. 168. 190.

embassies to Rome, Castile, Portugal, Flanders and France.[1] It was, probably, during the chancellorship of his brother, that he was made a clerk or master of the Chancery, although he is not distinctly named among those officers till a later period. On August 4, 1353, when the chancellor, John de Thoresby, went to York, of which he had recently been elected archbishop, he left the seal in the hands of David de Wollore, M. R., Thomas de Brayton, and Andrew de Offord[2]; but how long he remained absent does not appear. Offord was a receiver of petitions in the parliaments of 28 and 29 Edward III.[3]; and died in 1358.

He was at first described as juris civilis professor; afterwards as Canon of York; and lastly as Archdeacon of Middlesex, to which he was admitted in 1349.[4]

## OFFORD, JOHN DE, Archdeacon of Ely, Dean of Lincoln, Archbishop of Canterbury.

Chancellor, 1345.

The name of this chancellor is generally spelled Offord, but on some few occasions Ufford; and it is the fashion to call him one of the sons of Robert de Ufford, the first Earl of Suffolk. We are satisfied, however, that he was not so, and doubt very much whether he was in any way connected with the family. Robert de Ufford, who was created Earl of Suffolk, in 1337, had, according to Dugdale, only two sons, Robert, who died in the life of his father, and William, who succeeded to the title. The records show two other sons, named Richard and Edmund le Frère[5]; and Blomefield calls a John de Ufford, who was rector of Kingham, in Norfolk, in 1359, and who died in 1375, a son of the earl[6]; but that may be questionable,

[1] N. Fœdera, ii. 1224., iii. 308.
[2] Rot. Claus. 27 Edw. III., m. 6.
[3] Rot. Parl. ii. 254. 264.
[4] Le Neve, 193.
[5] Abbrev. Rot. Orig. ii. 134. 146. 336.
[6] Blomefield's Norfolk, i. 667.

as he is not mentioned in the earl's will.[1] There was, however, a John de Ufford, who was contemporary with the chancellor. He was the son of Ralph de Ufford, the brother of Robert, the first earl; but he is in every way distinguished from the chancellor. He is always called a knight, and was summoned to parliament as a baron in 1360, eleven years after the death of the chancellor, and his own death occurred in the following year. The discrepancies in these dates appear to settle the question; but if any doubt remained it would seem to be extinguished by the following fact. The first earl's grandfather, whose name was Robert de Peyton, assumed that of Ufford, from a place in *Suffolk*, where he had his residence; while there remains curious evidence to prove that the chancellor's family derived its name from the manor of Offord, in *Huntingdonshire*. We find that in 4 Edward I., 1275–6, there was a John de Offord who had property at Offord-Dameys in that county; and, further, that in 5 Edward III., 1331, the custody of that manor was given to Magister John de Offord (our chancellor) till the legitimate age of the heir[2]: so that he probably was a younger son of the first-named John, and uncle to the infant heir. However this may be, it is clear that the two families were distinct.

In the early part of the reign of Edward III., John de Offord was Dean of the Arches[3]; and from the eighth to the eighteenth years he was continually engaged in important foreign embassies to the courts of France, Scotland, and Avignon. At first he is described as juris civilis professor, and as Canon of St. Paul's; in 12 Edward III., as Archdeacon of Ely; and on August 3, 1344, 18 Edward III., as Dean of Lincoln. From October 4, 1342, he is mentioned as keeper

[1] Nicolas's Testam. Vetust. 73. 114. See, however, Anglo. Sac. i. 794., *note*.
[2] Dugdale's Baronage, ii. 47.; Abbrev. Placit. 266; Abbrev. Rot. Orig. ii. 50.
[3] Newcome's St. Alban's, 229.

of the privy seal, and on one occasion as the king's secretary.[1] To enter into the particulars of these negotiations would be to give a history of this period of the reign. As they concern himself, they show the estimation in which he was regarded by his sovereign; and they afford evidence that his conduct of them exhibited so much wisdom and tact, as to point him out as a fit recipient of the honours with which he was afterwards invested.

On October 26, 1345, 19 Edward III., he succeeded Robert de Sadington as chancellor[2], and held the Seal till his death, being the third chancellor during this reign who died in office. By the death of John de Stratford, on August 23, 1348, the archbishoprick of Canterbury became vacant. So soon after as the 25th of the following month, Pope Clement VI. issued a bull placing John de Offord in the vacant seat; the Holy Father and the English king uniting to set aside the monks' election of Thomas Bradwardin. One of his biographers says, that he paid a large sum ere he procured his appointment; but these assertions are easily made, and it is far more probable that the pope's attention to the king's recommendation was influenced by the opportunities he himself had had of judging of Offord's character and abilities, while performing his ambassadorial functions. The temporalities were restored on December 14; but he was fated never to obtain full possession of his dignity. Before his installation he was seized with the mortal disease which for several months had devastated England, and was one of the last of its victims, dying at Tottenham, on May 20, 1349.[3] He was buried privately at Canterbury.

His London residence, while chancellor, was in the parish of St. Clement Danes.[4] Both universities claim the honour

[1] N. Fœdera, ii. 880. 1239., iii. 18. 176.
[2] Rot. Claus. 19 Edw. III., p. 2. m. 10. [3] Ibid. 23 Edw. III., p. 1. m. 10.
[4] Ibid. 22 Edw. III., p. 2. m. 8.

of his education; but that of Cambridge, in which he is prayed for "in missa Benefactorum," seems to have the preference.[1]

## PARDISHOWE, THOMAS DE.

? KEEPER, 1341.

ALTHOUGH the Great Seal is stated to have been placed by Sir Robert Bourchier the chancellor, when he left London on February 14, 1341, in the custody of Thomas de Pardishowe, under the seals of Thomas de Evesham, the master of the Rolls, and Thomas de Brayton, it is clear from the terms of the record, that the two latter only were appointed to execute the functions of the office; which they did till his return on March 3.[2] Pardishowe is called a clerk in the Chancery, but there is no other entry of his name.

## PARNING, ROBERT.

JUST. C. P. CH. K. B. 1340. CHANC. 1341.

ROBERT PARNING was possessed of considerable property in Cumberland, and was returned to Parliament in the last year of the reign of Edward II., as one of the representatives of that county. He was no doubt at that time pursuing the legal profession, for though his name does not appear in the Year Book of that reign, it continually occurs from the first to the thirteenth year of that of Edward III. He took the state and degree of a serjeant-at-law in 3 Edward III.[3], and is mentioned as a king's serjeant in the eighth year. From this time till he was called to the bench he frequently acted as a judge of assize.

On May 23, 1340, 14 Edward III., he became a justice of the Common Pleas; but only remained in that court for two

[1] Godwin de Præsul. 111.; Angl. Sac. i. 42. 375. 794.

[2] Rot. Claus. 15 Edw. III., p. 1. m. 44.

[3] Coke, 4th Inst. 79.

months, being raised on July 24 in the same year to the office of chief justice of the King's Bench in the place of Richard de Willoughby. His presidency there, however, did not continue longer than the 15th of the following December, when he changed the office of chief justice for that of treasurer.[1] Being distinguished, as Coke says, for his profound and excellent knowledge of the laws, his elevation to the bench can be well understood; but the cause of his early removal from a sphere in which he was so fitted to shine is not so readily apparent. It arose, probably, from the king having as high an opinion of his integrity as of his legal attainments; and occurred at the time when the royal displeasure was exhibited by the sudden dismissal of his predecessor, Robert de Northbury, Bishop of Lichfield and Coventry, from the treasurership, and of Robert de Stratford, Bishop of Chichester, from the office of chancellor.

Sir Robert Parning held his new position for little more than ten months; for on October 27, 1341, the Great Seal was placed in his hands[2], when the king was compelled by public opinion to take it away from his military chancellor, Sir Robert Bourchier. At this time he lived in Aldermanbury. He continued chancellor till his death; and it is remarkable that, though there is no imputation against him for neglecting his duties, he was still in the habit of attending the court of Common Pleas to hear arguments there, and sometimes to take part in them. Instances of this occur in the 34th and 51st cases in Hilary, 17 Edward III., and in several others in the two following terms.

He died on August 26, 1348, 17 Edward III.[3], leaving, by his wife Isabella, a son named Adam, who succeeded to eight manors and other property in the counties of Cumberland and Northumberland.[4]

[1] Dugdale's Chron. Series. [2] Rot. Claus. 15 Edw. III., p. 3. m. 22.
[3] Ibid. 17 Edw. III., p. 2. m. 24.
[4] Abbrev. Rot. Orig. ii. 202.; Cal. Inquis. p. m., ii. 110.

## PERCEHAY, HENRY DE.

B. E. 1375.

*See* under the Reign of Richard II.

## PLESTE, ROBERT DE.

B. E. 1362.

No entry occurs in any of the published records relative to Robert de Pleste, who, according to Dugdale's Chronica Series, was a baron of the Exchequer in 1362, 36 Edward III.; nor can we find anything of him or his family, except that there was a William de Pleste, who, in the same year, is called "attornatus regis."

## POLE, WILLIAM, DE LA.

B. E. 1339.

In the newly rising port of Kingston-upon-Hull, was established a rich merchant named William de la Pole. He was the father of two sons, Richard and William, both of whom rendered valuable pecuniary assistance to Edward II. and Edward III. In the fifteenth year of the former reign, Richard was appointed collector of the customs on wools in that town; and in 1 Edward III., 1327, was made the king's chief butler, and gauger of wines. Two years afterwards, he and his brother William received the manor of Miton, in Holdernesse, from the king, in exchange for their half of the manor of Lindeby, in Nottinghamshire, in consideration of their "good services," the nature of which, with regard to Richard, may be inferred from a royal undertaking, in 14 Edward III., to repay 1384*l.* 3*s.* 4*d.* he had advanced. Richard died in the nineteenth year, leaving a son, William[1], who must not be confounded with the subject of the present notice.

William de la Pole, the brother of Richard, was born at

[1] Abbrev. Rot. Orig. i. 261., ii. 6. 35. 140. 174.

Ravenser, in the neighbourhood of Kingston-upon-Hull, to which he ultimately removed. In the very first year of the reign of Edward III., he had a grant of 4000*l.*, out of the first issues of the customs of that port, in payment of an advance he had made to meet the royal necessities[1]; and in the sixth year, 1332, he sumptuously entertained the king when he visited Kingston on his way to Scotland. On this occasion he is said to have received the honour of knighthood, and to have procured the title of mayor for the principal officer of the town, being himself the first who bore it. The next year he was one of those employed in a mission to Flanders, and was several times engaged in similar duties during the six following years.[2] In 9 Edward III. he was constituted custos of the exchanges of England, and receiver of the old and new customs of Hull and Boston. The immediate consideration of the last appointment was his undertaking to pay the expenses of the king's household at the rate of 10*l.* a day.[3] He was the general agent for the crown with the trading interest, and was commonly denominated the king's merchant. In the twelfth year, Edward III. gave him a royal acknowledgment for 10,000*l.* advanced, and for 7500*l.* for which he had become bound[4]; and, in the same year, in consideration of monies paid by him in aid of the royal expenses, and for the defence of the kingdom, the king granted him various manors in Nottinghamshire and Yorkshire, and afterwards invested him with the order of knight banneret, adding other rents for the support of the honour, together with a reversionary assignment of 1000 marks of rent in France, when the king recovered his rights there. Besides this, houses in Lombard Street, London, which had belonged to the "Societas Bardorum," were appended to the royal donation.[5]

[1] Abbrev. Rot. Orig. ii. 11.
[2] N. Fœdera, ii. 862—908. 1085.
[3] Abbrev. Rot. Orig. ii. 97. 109.
[4] N. Fœdera, ii. 1065.
[5] Abbrev. Rot. Orig. ii. 123. 128. 142.

Dugdale, in his Chronica Series, omits the appointment of William de la Pole as a baron of the Exchequer, noticing only his removal from the office; but he supplies the omission in his Baronage, by stating that he was constituted second baron, on September 26, 1339, 13 Edw. III. There are two other patents dated the same day, at Markoyn in France, in which, though De la Pole has not this official desigation, he is one of eight high officers to whom extensive powers are granted for the purpose of raising funds to pay the royal debts incurred in the French war.[1] In the parliaments held in the following October and April, he was present as one of the judges[2]; but he was removed, or retired from his seat on the bench, on June 21.

When Edward III. returned from Tournay, in November, 1340, grievously disappointed by the ill-success of his ministers in the collection of funds, William de la Pole was among the sufferers from his indignation.[3] He was imprisoned, and all his estates were taken into the king's hands. The particular charge against him arose from a commission which he and Reginald de Conductu, or Atte Conduit, had received, as to the purchase and sale of wools for the king's use.[4] A judgment was given against them in the Exchequer, but the whole process was annulled in the parliament of July, 1344, 18 Edward III.[5]

He lived for more than twenty years afterwards, highly in the king's favour. The remainder of his life is principally illustrated by his founding and liberally endowing an hospital at Kingston-upon-Hull, which, in the last year of his life, he obtained a license to convert into a religious house of nuns, of the order of St. Clare.[6] He died on April 21, 1366,

[1] N. Fœdera, ii. 1091.
[2] Barnes's Edw. III., 212.
[3] Rot. Parl. ii. 103. 112.
[4] N. Fœdera, ii. 988.
[5] Rot. Parl. ii. 154.
[6] Abbrev. Rot. Orig. ii. 286.

40 Edward III.[1] By his wife Catherine, the daughter of Sir John Norwich, who died in 5 Richard II., he had several sons; Michael, afterwards Earl of Suffolk, who will be noticed as chancellor in the next reign, Thomas, Edmund, and Walter. His daughter, Blanche, was married to Richard le Scrope, who was twice chancellor to Richard II.[2]

## POWER, WALTER.

? Keeper, 1371.

Walter Power, clerk, who was one of the commissioners of array for the counties of Bedford and Buckingham in 20 Edward III., held the manor of Brereby and other property in Yorkshire, part of which he gave to the prior of the convent of Monk Bretton. He was a clerk or master in Chancery from 25 to 47 Edward III., 1351—1373; and in that character was at the head of four in whose custody the Great Seal was left on March 18, 1371, during the temporary absence of the chancellor, Sir Robert de Thorpe.

He is noticed as holding the office of attorney-general to John of Gaunt, Duke of Lancaster, in 1366.[3]

## RADECLYVE, THOMAS DE.

Just. Itin. 1330.

We take this Thomas de Radeclyve to have been a native of Radcliff on Sore, in the county of Nottingham. As he was summoned among the judges to the great council at Westminster in 17 Edward II., he was probably of the legal profession. He was the last named of six justices itinerant into Bedfordshire in 4 Edward III., 1330; and was sub-

[1] Cal. Inquis. p. m., ii. 274.

[2] Dugdale's Baron. ii. 182.; Monast. vi. 20.; Burgon's Gresham, i. 56.; Allen's Yorkshire, iii. 12.

[3] N. Fœdera, iii. 78. 483.; Abbrev. Rot. Orig. ii. 220.; Cal. Inquis. p. m., ii. 172.; Rot. Claus. 45 Edw. III., m. 35.; Rot. Parl. ii. 225—317.

sheriff of the county of Nottingham in the same year, as appears by a complaint made against him in parliament, the result of which is not recorded. In 8 Edward III. he granted part of his lands at Radcliff for the support of the vicar of Lokyngton, at which time he had a house and land at Kynston, in the same county.[1]

## RADENHALE, JOHN DE.

JUST. ITIN. 1329.

THE parish of Radenhale, or Redenhale, in Norfolk, gave name to this family, which also possessed property in Suffolk. A Henry Redenhale was in the king's household, and was paid 20*l.* to provide small pike, and ten marks to obtain lampreys, from Gloucester for the coronation of Edward II. John, who was perhaps his son, was employed in judicial investigations in those counties in the latter years of that monarch, and his name occurs in the Year Books as an advocate in the first three years of Edward III. In the last of these, 1329, he was appointed a justice itinerant, and was sent into Northamptonshire; and he continued to act in other counties till 7 Edward III.

Robert de Radenhale, parson of the parish of Eye, in Suffolk, who gave the manor of Baventishalle, in that county, for the support of a chaplain in 28 Edward III., was probably his son.[2]

## RANDOLF, JOHN.

JUST. ITIN. 1329.

*See* under the Reigns of Edward I. and Edward II.

THERE were at this period two families named Randolf; one settled in Shropshire, and the other in Hampshire. This

[1] Parl. Writs, ii. 1319.; Dugdale; Rot. Parl. ii. 411.; Cal. Inquis. p. m., ii. 63.

[2] Issue Roll, 1 Edw. II., 120, 121.; Parl. Writs, ii. P. ii. 1319.; Dugdale; Cal. Inquis. p. m., ii. 190.

John Randolf belonged to the latter, and is first mentioned in 13 Edward I., 1285, as one of the executors of William de Braboef, the justice itinerant noticed in that reign. He was connected with the Exchequer, and in 26 Edward I. was appointed one of the commissioners to visit the sea-ports, and enquire into the concealment of the customs on wool, &c.[1] The only time his name appears in Dugdale's Chronica Series, is as the third of five justices itinerant into Cornwall in 30 Edward I.; but a document contained in the Rolls of parliament of 8 Edward II. proves not only that he acted for four years as a justice of assize, as well as a justice itinerant in the last circuit into Cornwall, but also that his salary for these services then remained unpaid. This, however, probably arose from his being a debtor to the king for the issues of the castle of Christchurch, and of the manors of Lymington, Edbrighton, and Bronmore, in the county of Hants, which were in his custody, and from his being expected to deduct his fee from them. On making up his account, it appeared that he was indebted in the sum of 17*l.* 0*s.* 4½*d.*, which he prayed to retain in part of his fee as justice, and to have the remainder paid to him; and he had an order to obtain a writ of liberate from the Chancery, and then to apply to the treasurer.[2]

In the first two years of the reign of Edward II. he had been summoned to parliament among the judges, and was employed in a variety of ways in a judicial character as late as the thirteenth year, when he was commanded to cause his proceedings as a justice of assize, or otherwise, to be estreated into the Exchequer.[3]

Although we do not find him judicially mentioned for the next seven years, there are several entries relative to him in the interval; and in 2 Edward III. he was named on a

[1] Madox's Exch. i. 231. 784.
[2] Rot. Parl. i. 332.
[3] Parl. Writs, i. 799., ii. P. ii. 1323.

commission to try certain malefactors of France charged with molesting the merchants of Southampton. In the following year, 1329, he was one of the justices itinerant into Northamptonshire; but after 4 Edward III., when he had the custody of the castle and manor of Porchester committed to him, he is not again noticed. We believe William Randolf, of Laverstoke, in Wiltshire, to have been his son.[1]

## RAVENSER, RICHARD DE, Archdeacon of Lincoln.

? Keeper, 1377.

*See* under the Reign of Richard II.

## RETFORD, WILLIAM DE.

B. E. 1354.

It is highly probable that William de Retford was the son of Robert de Retford, the justice itinerant of the last reign. The document by which he was appointed keeper of the great wardrobe, is on the Roll of Nottinghamshire, the county to which that Robert belonged. This is dated in 23 Edward III.; and by a mandate as to the purchase of certain materials for the king's use issued two years previously, and countersigned as by his advice and testimony, it appears that he then held a place in the royal household. He is there called "clericus." He was raised to the Exchequer bench as a baron on November 27, 1354, 28 Edward III.; and is mentioned as a justice of assize in 32 Edward III., in Serjeant Benloe's Reports. The period of his death or retirement we have not been able to discover.[2]

## RICHMOND, Archdeacon of. *See* R. de Wodehouse.

[1] Abbrev. Rot. Orig. i. 284., ii. 41. 81.; N. Fœdera, ii. 751.; Dugdale.

[2] Abbrev. Rot. Orig. ii. 205.; N. Fœdera, iii. 114.; Dugdale.

## SADINGTON, ROBERT DE.

Ch. B. E. 1337. Chancellor, 1343. Ch. B. E. 1345.

Although it has been suggested, in the notices of two judges in the reigns of Henry III. and Edward I., that the names Shottindon and Sodington may be only varieties of that of Sadington[1], there is nothing positive to prove that it is so; and we cannot find any evidence that they and the subject of the present notice are of the same family. Robert de Sadington was clearly so called from a place of that name in Leicestershire; and, we conceive, was the son of John de Sadington, in the household (valettus) of Queen Isabella, by whose request the custody of the hundred of Gertre, in that county, was committed to him.[2]

This connection may probably account for Robert's first employment about the court. In 3 Edward III. he was commissioned, with the sheriff of Leicester and another, to sell the corn in certain manors which had fallen into the king's hands; and his name occurs in the Year Books as an advocate from that to the tenth year, during which period he was placed on two or three commissions of enquiry.[3] It does not appear, however, that he held the degree of a serjeant-at-law.

Soon after the death of Henry le Scrope, chief baron of the Exchequer, he was appointed to that office, his patent being dated March 20, 1337, 11 Edward III.; and Prynne says, that he was the first chief baron whom he finds summoned to parliament, meaning, we presume, by that specific title.[4] On July 25, 1339, he acted as the *locum tenens* of William de Zouche, the treasurer, then abroad; and from May 2 to June 21, 1340, he held the office of treasurer.[5] During this time he still continued chief baron; and, as the court was then constituted, there was no solid objection to his

[1] Robert de Shottindon, ii. 474.; Thomas de Sodington, antè, p. 154.
[2] Abbrev. Rot. Orig. i. 243.
[3] Ibid. ii. 29. 107.; N. Fœdera, ii. 829. 840.
[4] Prynne, on 4th Inst. p. 4.
[5] Dugdale's Chron. Series.

holding both offices. His removal from the treasurership was, perhaps, fortunate for him, as he otherwise would probably have been swept away with the rest on King Edward's angry return from Tournay in the following November.

On September 29, 1343, a month after Sir Robert Parning's death, the Great Seal was delivered to Robert de Sadington, as chancellor.[1] He held it for about two years. During his time, there is a curious entry of the seizure, by the mayor and bailiffs of Sandwich, of nine bulls and numerous letters and processes from the Roman court, attempted to be surreptitiously introduced into the kingdom "in quadam lineâ telâ ceratâ inclusos;" and of their being delivered by the chancellor, in "*full* Chancery at Westminster," to the chamberlain of the Exchequer, to be kept in the treasury.[2]

If Lord Campbell's depreciatory paragraph, with its marginal stigma on the chancellor as a "bad equity judge," is founded on nothing more (and he gives us no other authority) than Coke's silence as to his merits, we fear that such a reason might go further than the noble author intended; and we acknowledge that we find no trace of his being more deficient or less successful than his contemporaries. The cause of his resignation of the Seal on October 26, 1345[3], is not given; and, from anything that appears, it was quite as likely to have arisen from political as from legal motives. His reinstatement as chief baron of the Exchequer, on the 8th of the following December, seems to exclude the idea that he was inefficient as a judge.

In the next year he was appointed one of the custodes of the principality of Wales, the duchy of Cornwall, and the earldom of Chester, during the minority of the king's son, Edward, Prince of Wales.[4] In 1347 he was the head of the commission assigned "ad judicium ferendum," that is to say, to sentence and to execute the Earls of Menteith and

[1] Rot. Claus. 17 Edw. III., p. 2. m. 26.
[2] N. Fœdera, iii. 25.
[3] Rot. Claus. 19 Edw. III., p. 2. m. 10.
[4] Cal. Rot. Pat. 154.

Fife, taken with King David in the battle of Nevil's Cross, in which they are described as traitors to Edward de Balliol, King of Scotland. In the following year he went the circuit into Kent.[1] Though there is no distinct entry of his death, it probably took place in the first quarter of 1350, 24 Edward III. In that year he had a grant of the custody of the lands of William Botreaux, in Sadington, in Leicestershire, during the minority of the heir; and his successor as chief baron, Gervase de Wilford, having been appointed on April 7, his name no more appears.

He married Joyce, the sister and heir of Richard de Martival, Bishop of Salisbury; and John de Sadington, mentioned in 37 Edward III., was probably his son.[2]

ST. DAVID'S, Bishop of. *See* J. de Thoresby.

ST. MARTIN'S, London, Dean of. *See* W. de Melton, W. of Wykeham.

## ST. PAUL, JOHN DE, Archdeacon of Cornwall, Archbishop of Dublin.

? Keeper, 1334. M. R. 1337. Keeper, 1340.

The family of John de St. Paul had property in the county of York; and it is not improbable that he was the son of Robert de St. Paul, lord of the township of Byram, who was one of the adherents of the Earl of Lancaster in the reign of Edward II.[3] John was a clerk in the Chancery, and is the last named of three of those officers to whom the custody of the Great Seal was entrusted at York, from January 13 to February 17, 1334, during the temporary absence of John de Stratford, the chancellor.[4]

[1] N. Fœdera, iii. 108. 177.

[2] Abbrev. Rot. Orig. ii. 210. 230.; Nicholl's Leicestershire, 192.; Dugdale's Chron. Series.

[3] Parl. Writs, ii. P. ii. 1987.

[4] Rot. Claus. 7 Edw. III., p. 2. m. 4.

On April 28, 1337, he was constituted master of the Rolls in the place of Michael de Wath[1]; and in the next year hired the Bishop of Exeter's house, near St. Clement's church in the Strand, afterwards Essex House.[2] In 13 Edward III. the House of Converts, in Chancery Lane, was granted to him for life.[3] While he held the office of master of the Rolls, the Great Seal was twice deposited with him and other clerks; viz., from July 6 to 19, 1338, and from December 8, 1339, to February 16, 1340: but on the latter day he was appointed sole custos till the restoration of Archbishop Stratford on April 28. He again held it for a short time on the resignation of the archbishop in the following June.[4]

On the king's hurried return from the siege of Tournay, John de St. Paul was one of the victims of his indignation. He was charged with some malversation in his office, and cast into prison; but he obtained his release as a clergyman through the intervention of Archbishop Stratford. He however was deprived of the custody of the Rolls on December 2, two days after the king's arrival in England.[5] The royal anger did not long continue; for though St. Paul was not restored to the mastership of the Rolls, which had been given to Thomas de Evesham, he after a little while was allowed to resume his old position among the masters in Chancery. On the death of the chancellor Parning on August 26, 1343, he was again one of the three to whom the seal was entrusted till the appointment of Robert de Sadington on September 29.[6]

In 1346 he was made Archdeacon of Cornwall[7]; and about the month of October, 1349, was elected Archbishop of Dublin. He presided there for thirteen years, the con-

[1] Rot. Claus. 11 Edw. III., p. 1. m. 13.
[2] Cal. Rot. Pat. 132.
[3] Rot. Pat. 13 Edw. III., p. 1. m. 10.
[4] Hardy's Catal.
[5] Barnes' Edw. III., 217.; Angl. Sac. i. 20.; Rot. Claus. 14 Edw. III., p. 2. m. 10.
[6] Rot. Claus. 17 Edw. III., p. 2. m. 24.
[7] Le Neve, 94.

tinuance of the king's confidence being shown by his appointment, in 1359, to assist the justiciary in the government of Ireland. His death occurred in 1362, when he was succeeded as archbishop by Thomas Minot.[1]

## SCARDEBURGH, ROBERT DE.

Just. K. B. 1334. Just. C. P. 1339. Just. K. B. 1341.

It has been generally believed that Robert de Scardeburgh, the justice, and Robert de Scorburg, the baron of the Exchequer, were one and the same person. The names Scord, Scorb, and Scharde, frequently occurring among the advocates in the Year Books of Edward II. and Edward III., it is difficult to distinguish whether one or two persons are meant; and as neither of these abbreviations appear after the sixth year of the latter reign, it was not unreasonable to suppose that they were variations of the name of one individual who was about that period raised to the bench. It is certain, however, that they were two persons, although the latter was sometimes called by the former's name; and that the first derived his name from Scarborough, in the North Riding of Yorkshire, while the last obtained his, as we shall show in our account of him, from Scorbrough, in the East Riding. Their disappearance as advocates from the Year Books arises from their both receiving judicial appointments nearly at the same time; Scardeburgh, in Ireland, in 1331–2, and Scorburgh, in England, in 1332.

Robert de Scardeburgh stands at the head of a commission of assize into the islands of Guernsey, Jersey, Sark, and Alderney, in 5 Edward III.[2]; and at the close of that year, 1331, he was made chief justice of the Common Pleas in Ireland, in which character he is mentioned two years after-

[1] N. Fœdera, iii. 190. 433.; Holinshed, vi. 44.

[2] Abbrev. Rot. Orig. ii. 57.

wards.[1] In 8 Edward III. he was superseded in that office by Richard Fitz-Simon, and his services were transferred to the Court of King's Bench in England, of which he was constituted a judge on September 14, 1334.[2]

He was in a commission of array for York in 13 Edward III.[3]; and on September 6, in that year, 1339, he changed his seat in the King's Bench, with John de Shardelowe, for the latter's place as a judge of the Common Pleas. In this court, however, he remained little more than a year, resuming his seat in the King's Bench on January 8, 1341, and retaining it for nearly four years. He was then, in 18 Edward III., 1344, restored to his former position of chief justice of the Common Pleas in Ireland[4]; and in the same year two new Seals were for the first time provided, by the advice of the council, for sealing the judicial writs of the two benches there, the custody of which was granted to him, with the fees appertaining to the duty.[5] His history terminates here, for his name is not again mentioned.

## SCORBURGH, ROBERT DE.

JUST. ITIN. 1330. B. E. 1332.

THAT Robert de Scorburgh took his name from Scorbrough, in the East Riding of Yorkshire, and that he was sometimes called by the name of Robert de Scardeburgh, will be apparent from the two following facts. Under the name of Scorburgh he had a license in 17 Edward II. to assign a lay fee in Beverley and Etton; and on his death, in 14 Edward III., he is described, under the name of Scardeburgh, as possessing the manor of Scorby, and also property in Stamford Bridge and Etton, both of which are in the East Riding, and in the neighbourhood of Beverley and Scorbrough.[6] We

[1] Cal. Rot. Pat. 113. 117.
[2] Ibid. 120.
[3] N. Fœdera, ii. 105.
[4] Cal. Rot. Pat. 135. 149.
[5] Abbrev. Rot. Orig. ii. 166.
[6] Ibid. i. 274., ii. 136.

cannot, however, agree with the learned editor of the Parliamentary Writs and of the Index to the Rolls of Parliament in interpreting both the names Scardeburgh and Scorburgh as meaning Scarborough, in the North Riding; and no question can be entertained that Robert de Scorburgh and his contemporary, Robert de Scardeburgh, were not the same individual. Robert de Scorburgh's connection with the law appears from his being employed on special commissions in Yorkshire in 16 and 20 Edward II.; the former being for the trial of offenders chasing the deer in the archbishop's park at Beverley.[1] In both of these commissions he is called Scorburgh, and is evidently added to the regular judges, as a serjeant is in the present day. In 18 Edward II. he was appointed also on a commission of enquiry, his name being then spelled Scoreburgh. Again, in 2 Edward III. there is a petition to parliament by the people of "Scartheburgh," relative to a trial before Robert de Scoresburgh and his companions, justices of Oyer and Terminer in that town[2]; and in the fourth year he was amongst the justices itinerant into Derbyshire, as Scorburgh.[3]

He was raised to the bench of the Exchequer on November 2, 1332, 6 Edward III., the record calling him Scorburgh, by which name he received knighthood in the same year.[4] He is also so named, in the following year, in the record commissioning him to treat with the Earl of Flanders.[5]

After this we hear nothing of him till his death in 14 Edward III., when it appears, by the document above referred to, that his property was committed to the custody of Wolfand de Clistere, because Thomas, his son and heir, was an idiot.

[1] Parl. Writs, ii. P. ii. 1406.
[2] Rot. Parl. i. 420., ii. 28.
[3] Dugdale's Chron. Series.
[4] Dugdale's Orig. 102.
[5] N. Fœdera, ii. 875.

## SCOTHOU, WILLIAM DE.

JUST. ITIN. 1348.

EXCEPT in Dugdale's list of justices itinerant for Kent in 22 Edward III., 1348, we find no reference whatever to William de Scothou, who probably took his name from a parish so called in Norfolk. A Peter de Scothow was returned member for Norwich in 12 Edward II.[1]

## SCOTT, WILLIAM.

JUST. C. P. 1337. JUST. K. B. 1339. CH. K. B. 1341.

THE name of Scott was so common even at this early period, that it is difficult to speak with certainty of the family of this William Scott. If H. Philipps, in his Grandeur of the Law, 1684, is right in saying that Sir Thomas Scott, then of Scott's Hall, in Kent, was descended from him, it would seem that the original name of the family was Baliol, and that William, the brother of John Baliol, King of Scotland, who frequently wrote his name as William de Baliol *le Scot*, after the contest for the crown in the reign of Edward I. had terminated in his brother's overthrow, politically dropped his patronymic, and retained only the national addition he had assumed. In the reign of Edward III. this family was seated in the parish of Braborne, in Kent; and it was not till Henry VI.'s time that they removed to Scott's Hall, a manor in the neighbouring parish of Smeeth.[2]

William Scott was a pleader in the courts from 3 Edward III., and was made one of the king's serjeants in the eighth year. On March 18, 1337, 11 Edward III., he was raised to the bench of the Common Pleas; but was removed into the King's Bench on May 2, 1339; and when Robert

[1] Parl. Writs, ii. P. i. 205.

[2] Hasted's Kent, viii. 5.

Parning was made treasurer in 14 Edward III., William Scott succeeded him as chief justice of that court on January 8, 1341.

Dugdale, who transfers him to the Common Pleas as chief justice there on April 27 in the following year, has no doubt mistaken the expression in the liberate Roll which he quotes as authority; inasmuch as no new chief justice of the King's Bench was then appointed in William Scott's stead, and he is specially noticed as still holding that office in 20 Edward III., the year of his death[1]; besides which, no fines appear to have been levied before him after he left the Common Pleas in 13 Edward III.[2]

One Humphrey Hunney, probably a discontented suitor, having complained that the chief justice had awarded an assize contrary to law, was imprisoned, judged, fined, and ransomed for the offence.[3]

His descendants numbered among them many eminent in offices of trust, as well in the state as in the county: and Sir John Scott, chief baron of the Exchequer in the reign of Henry VIII., is said to have been of the same family, which was not extinct at the end of the last century.

## SCROPE, GEOFFREY LE.

Ch. K. B. 1328, 1330, 1332, 1337. Just. C. P. 1334.

*See* under the Reign of Edward II.

Sir Harris Nicolas, who has carefully investigated the history of this family[4], is of opinion that the first person who is recorded to have borne the name of Scrupe, or Scrope, was a native of Normandy. In the reign of Henry II. they had baronial possessions in Gloucestershire; and, in that of Ed-

[1] Abbrev. Rot. Orig. ii. 179.
[2] Dugdale's Orig. 45.
[3] State Trials, ii. 1024.
[4] Controversy between Sir Richard Scrope and Sir Robert Grosvenor in the court of Chivalry, 1385—1390; by Sir Harris Nicolas.

ward I., large estates in Yorkshire also; comprehending, in the latter county, lands in East Boulton, Little Boulton, Fencotes, and Yarnewick.

Geoffrey le Scrope was the second son of Sir William le Scrope, a knight distinguished both in tournaments and the field, by his wife Constance, who is presumed to have been the daughter and heiress of Thomas, the son of Gillo de Newsom upon Tyne. Their eldest son was Henry, the subject of the next notice.

The earliest reference we have to Geoffrey is in a deed dated July 27, 1310, 4 Edward II., by which William de Brakenbury granted him part of a certain rent out of the mill of Thirsk, in Yorkshire. In the ninth year of that reign, March, 1316, he certified as possessing property in various townships of that county.

In the parliament held in January of the latter year he is mentioned as suing for the king; and a grant was made to him of 20*l.* for his expenses, in the liberate of which, according to Dugdale, he is called serjeant. In that character he was evidently summoned to the councils and parliaments of the seven subsequent years; and was also occasionally added to some judicial commissions for the trial of offenders. Dugdale has inadvertently inserted his name in the list of judges of the King's Bench in 9 Edward II., though he has taken no notice of such a fact in his sketch of him in the Baronage. There is no doubt, however, that this is an error, as he is described as one of the king's serjeants in 14 and 16 Edward II., and as attornatus Regis in the former year[1], in the wardrobe account of which, also, there is an entry of the payment of 13*l.* 6*s.* 8*d.* "To Geoffry le Scrop, king's serjeant, staying near the person of the king by his order, when journeying through divers parts of England in the

[1] Abbrev. Placit. 351.

months of April, May, and June, in the present fourteenth year, of the king's gift, for his expenses in so staying."[1] In 14 and 16 Edward II. he was employed in negotiating with the Scots.[2]

It was not till September 27, 1323, 17 Edward II., that he was raised to the bench, when he was constituted a judge of the Common Pleas, and fines were levied before him till the following Hilary Term.[3] On March 21, 1324, he was promoted to the chief justiceship of the King's Bench[4] in the room of Hervey de Staunton; and he presided in that court till the end of the reign.

He was certainly removed from the office on the accession of Edward III., which not improbably arose from a suspicion of his being a partisan of the Despencers and Baldock, the chancellor. This seems likely, from the fact that his murder, as well as theirs, was one of the alleged objects of the conspiracy of Roger Mortimer and others in the beginning of the year 1324.[5] Whatever was the reason of his non-appointment, he soon succeeded in clearing himself by the testimony of the peers, and was reinstated on February 28, 1328, 2 Edward III. His services were so highly appreciated by his sovereign, that they were frequently employed in diplomatic engagements, which obliged him for a time to resign his place in the court. Thus, when Edward went to France in May, 1329, 3 Edward III., Robert de Malberthorpe and his brother, Henry le Scrope, were successively substituted for him till December 19, 1330, when he was re-appointed. Again, Richard de Wilughby held his place from March 28 till September 20, 1332, 6 Edward III.; and, on a third occasion, Richard de Wilughby took his seat on September 10, 1333, in consequence of Geoffrey le Scrope being about

[1] Archæologia, xxvi. 345.
[2] N. Fœdera, ii. 434—524.
[3] Dugdale's Orig. 45.
[4] Rot. Claus. 17 Edw. II., m. 20.
[5] Parl. Writs, ii. P. ii. 244.

to go on a foreign embassy. But in February, 1334, the King's Bench was ordered by the parliament at York to stay in Warwickshire after Easter next; "for that Sir Geoffrey le Scroop, chief justice, is busie in the king's weighty affairs, whose place to supply Sir Richard Wilughby is appointed." [1]

Dugdale quotes a patent of July 16, 1334, 8 Edward III., by which Scrope was constituted second justice of the Common Pleas, in the place of John de Stonore, with an exemption annexed from being called upon to go out of the kingdom against the king's enemies against his will.[2] As no fines appear to have been levied before him, he probably did not long remain in that court, and certainly was not one of its eight judges enumerated by Dugdale in 11 Edward III.[3] It was perhaps about this time that he resumed his place as chief justice of the King's Bench, which he certainly held on April 4, 1338, 12 Edward III., when the nomination of two new judges was directed to him in that character.[4] He is mentioned in the Book of Assizes in the same year; and ultimately resigned his office before the following October, a payment being then made to him as "nuper capitalis justiciarius." [5]

He was employed by both his sovereigns to treat with the Scots, and by Edward III. to assist in the negotiations relative to the marriages between his sister Eleanor and the French king's eldest son, and between John, the son of the Earl of Kent, and a daughter of one of the French nobles. After his retirement from the King's Bench he was engaged in many other diplomatic missions on behalf of the king, in one of which he is styled "Secretarius noster." [6]

But it was not only as a lawyer and negotiator that he was distinguished; he made himself equally prominent as a knight

[1] Rot. Parl. ii. 377.
[2] Cal. Rot. Pat. 118.
[3] Dugdale's Orig. 39.
[4] Rot. Claus. 12 Edw. III., p. 1. m. 11
[5] Liber. 12 Edw. III., m. 4.
[6] Nicolas's Scrope Controversy, ii. 102.

and a soldier. At the tournaments held at Northampton, Guilford, and Newmarket, at the first of which he was knighted, he gained great distinction. He accompanied the king in the invasion of Scotland, and displayed his banner and pennon at the affair of Stannow Park. He was one of the royal retinue several times in Flanders and France, with a train of two knights and forty men-at-arms; and he served at the siege of Tournay in July 1340, 14 Edward III. The explanation of his presence on that occasion, given by Sir Ralph Ferrers, one of the witnesses examined on the Scrope and Grosvenor controversy in 1385–90, is clearly a misconception. He says that "it was the custom in early times in royal expeditions made by the king, in places where he claimed prerogative, to take with him his chief justice of the King's Bench, to execute his office as others perform theirs, so that Sir Geoffrey Scrope, the king's chief justice, was there; and the king ordered him to raise his banner at the said siege; and he had beneath his banner, in his retinue, forty lances," one of whom was his eldest son, Sir Henry. Certainly the practice was not sufficiently common to warrant the assertion; and the fact was clearly not as stated; for, so far from Geoffrey le Scrope being then chief justice, in that very month Robert Parning was substituted for Richard de Wilughby, who had succeeded Geoffrey in that office six years before.

An anecdote is related of a characteristic revenge which he took of Cardinal Bernard de Monte Faventio, during those wars, for some insulting remarks he had made to the king in reference to the strength of the French. He brought him one night into a high tower, and, pointing to the frontiers of France, in flames for several leagues, he said, "My lord, what thinketh your eminence now? Doth not this silken line wherewith you say France is incompassed seem in great danger of being cracked, if not broken?" The cardinal was

struck speechless, and dropped down apparently lifeless with fear and sorrow.

He received many grants from both Edward II. and Edward III. in reward for his services. From the former, charters of free warren over his estates; a licence to castellate his house at Clifton upon Yore, in Yorkshire; and a market and fair for Burton-Constable, with a confirmation of the manor of Eltham-Maundeville, in Kent, which had been granted to him by Sir Gilbert de Aton. From the latter, free warren over other lands, including the manor of Masham, in Yorkshire, which he had lately purchased, and for which he obtained a market and two annual fairs. Besides some temporary holdings, he obtained the manors of Boudon and Harebourgh, in Leicestershire, to hold in fee farm at a rent of 6*l.* 6*s.* 7*d.*[1] And, lastly, in 14 Edward III., he was created a banneret, and had a grant of 200 marks per annum for the support of that dignity; a confirmation of which was made in the reign of Henry IV. to his grandson Stephen, who in substitution of it received certain lands, and an annuity of 20*l.* payable by the burgesses of Hull.[2]

He did not long survive this last honour, but died in the same year at Ghent, in Flanders. His body was removed to Coversham, where it was buried, in the church of the abbey, under a tomb on which his effigy was placed.

He married first, Ivetta, daughter of Sir William Roos, of Igmanthorp; and secondly, as it is believed, Lora, daughter and co-heiress of Sir Gerard de Furnival, and widow of Sir John Uflete. By the latter he had no children; but by the former he had five sons and three daughters. His eldest daughter, Beatrix, was married to Sir Andrew Lutterell; his second, Constance, to Sir Geoffrey Lutterell, Sir Andrew's brother; and his third, Ivetta, to John de Hothom.

[1] Abbrev. Rot. Orig. ii. 111.

[2] Report on Peerage, i. 354.

His second son, Sir Thomas, died during his father's life; his third and fourth sons, Sir William and Sir Stephen, distinguished soldiers, were both present at the battle of Cressy; and his youngest son, Geoffrey, became a priest, and held some dignities in the church.

His eldest son, Sir Henry le Scrope, who was governor of Guisnes and Calais, was summoned to parliament as a baron in 1342, and was generally called Lord Scrope, of Masham. His descendants held the title till 1517, when, on the death of the ninth lord without issue, it fell into abeyance among his three sisters.[1]

## SCROPE, HENRY LE.

Just. C. P. 1327. Ch. K. B. 1329. Ch. B. E. 1330.

*See* under the Reign of Edward II.

Henry le Scrope was the eldest son and heir of Sir William le Scrope, and Constance, his wife. Like his brother, the last mentioned Geoffrey, he was distinguished both as a knight and a lawyer. No mention of him, that we have found, occurs before 27 Edward I., when he obtained the king's licence for a market and fair in his manor of Croft, in Yorkshire.

His name appears as an advocate in the Year Book of 1 Edward II.; and in the next year, on November 27, 1308, he was raised to the bench of the Common Pleas. Fines were levied before him in that character from the following Easter till Trinity, 10 Edward II.[2]; and during the same interval he frequently acted as a judge of assize and on various criminal commissions. The king's pecuniary pressure at that period is shown by the application he made in 1311 to the executors of Henry de Lacy, the late Earl of Lincoln, of

[1] Dugdale's Baron. i. 657.; Chron. Series; Parl. Writs, ii. 1409.; Nicolas' Synopsis, and Scrope and Grosvenor Controversy, ii. 3. 10. 95—104.

[2] Dugdale's Orig. 44.

whom Henry le Scrope was one, for a loan of 4000 marks out of his assets.

He was promoted to the office of chief justice of the King's Bench, in the room of William Inge, on June 15, 1317, 10 Edward II. This place he retained for above six years, and was then superseded, about September, 1323, 17 Edward II., by Hervey de Staunton, who after a few months made way for Henry's brother, Geoffrey le Scrope. Some confusion often arises in the reports in the Year Books from the difficulty of distinguishing which brother is referred to.

The cause of his removal is nowhere related, nor whether it was at his own request. That it was occasioned by no dissatisfaction on the king's part may be inferred from his being constituted, in the same year, custos of the forests beyond Trent, an office which he still retained at the commencement of the next reign.[1]

Within a few days after the accession of Edward III., viz., on February 5, 1327, Sir Henry le Scrope had a patent constituting him *second* justice of the Common Pleas,—the first instance of such a designation being adopted; and the fines acknowledged before him, after his restoration to his place in that court, extended to Hilary in the third year. It was not, however, till October 28 in that year, 1329, that he changed his position for that of chief justice of the King's Bench, to which he was then re-appointed during the temporary absence of his brother, Geoffrey le Scrope, who, upon his return, superseded him on December 19 in the following year.

His judicial services, however, were too valuable to be lost; for on the same day he was made chief baron of the Exchequer, displacing John de Stonore; and he continued on that bench during the remainder of his life. There

[1] Abbrev. Rot. Orig. i. 271.; Rot. Parl. ii. 10. The former says, "citra Trentam;" but the latter, "della Trente;" which is more probably correct. See also N. Fœdera, ii. 578.

are, it is true, two patents bearing date respectively the 18th and 19th of November, 1333, 7 Edward III., by the former of which he is constituted chief justice of the Common Pleas, and by the latter chief baron of the Exchequer. From this we can only infer that the removal into the Common Pleas was without his consent, and the restoration to the Exchequer at his solicitation; the more especially as William de Herle, whom he was to have superseded in the former court, was immediately replaced.

Among the royal rewards for his good services, Edward II. granted him a rent of forty-seven shillings and ninepence, in Medburn, in Leicestershire, and the advowson of the church there[1]; and afterwards all the hereditaments which Andrew de Harcla, Earl of Carlisle, possessed in Caldwell and Uckerby, in Lincolnshire. Edward III. gave him a messuage in Bayford, in Hertfordshire, with a carucate and thirty acres of land there.[2] Besides these and some other grants, he obtained charters of free warren over his estates, and a licence for a fair and market in his manor of Wenslay, Yorkshire. He was also made a knight banneret.

His death occurred on September 7, 1336, 10 Edward III., leaving very considerable possessions in Middlesex, Leicestershire, Hertfordshire, Rutlandshire, and Bedfordshire, but chiefly in the county of York. He was buried in the abbey of St. Agatha, at Easby, near Richmond in the latter county, of which he was esteemed the founder, having purchased the property of the family of the Earl of Richmond, and been a large contributor to the house. Three years before his death he converted all the services by which the abbey had hitherto held his lands into that of finding a priest to celebrate divine service in the church of the Holy Trinity, at Wenslay, for the souls of himself, his father, and his brother Geoffrey, and

[1] Abbrev. Rot. Orig. i. 205.

[2] Ibid. ii. 43.

their respective wives and heirs, and for the soul of Henry de Lacy, formerly Earl of Lincoln.

His wife's name was Margaret, but there is a doubt whether she was the daughter of Lord Roos or of Lord Fitz-Walter. She afterwards married Sir Hugh Mortimer, of Chelmarsh, in Shropshire, and of Luton, in Bedfordshire, and lived till 1357.

They left three sons, all of whom were minors at the time of their father's death. William and Stephen, the two elder, died without issue before 19 Edward III.; in which year the inheritance devolved on the third son, Richard, the first Baron Scrope of Bolton, who will be noticed among the chancellors in the reign of Richard II.[1]

## SETONE, THOMAS DE.

JUST. K. B. 1354. JUST. C. P. 1355. CH. K. B. 1357.

THE Year Books contain the name of Thomas de Setone for ten years before he was raised to the bench. He was one of the king's serjeants in 19 Edward III., and as such was summoned to parliament. In the same year he applied to the council, on behalf of the community of the bishoprick of Durham, to forego the iter there for that year; and he obtained his prayer on their paying 600 marks for the favour.[2] Dugdale places him as a judge of the King's Bench in 28 Edward III., and of the Common Pleas in 29 Edward III., without any date of appointment to either. He may, however, have been mistaken, as the authority he quotes is the liberate Roll, in which the word "bancum" sometimes applies to both courts. He was certainly a judge of one of them in April, 1354, 28 Edward III., for he was one of the triers of petitions in the parliament then held[3]; and he was a judge of the Common Pleas in Michaelmas, 1355, 29 Edward III., for

[1] Dugdale's Baronage, i. 654.; Monast. vi. 921.; Chron. Series.; Sir Harris Nicolas' Scrope and Grosvenor Controversy, ii. 11—15.

[2] Abbrev. Rot. Orig. ii. 177.

[3] Rot. Parl. ii. 254.

fines were then acknowledged before him: and it appears probable that he was appointed to this court between the previous Hilary and Trinity terms, as the list in the Year Book omits his name in the former, and includes it in the latter term.

On July 5, 1357, 31 Edward III., he was made chief justice of the King's Bench in the room of William de Sharcshull then retiring; but it would seem, from the words "ad tempus" in the mandate, that it was at that time a mere temporary appointment; and, from the fact that his name appears on fines up to Midsummer, 33 Edward III., we may infer that he acted up to that date as a judge of the Common Pleas also; especially as in the same year he is designated by the latter title, when he was admitted of the king's secret council. Thus it was not till afterwards that he was permanently fixed in the presidency of the King's Bench; but there is no doubt that he then held it till the thirty-eighth year; when, on May 24, 1360, Henry Green was appointed his successor.[1]

## SHARDELOWE, JOHN DE.

Just. C. P. 1332. Just. K. B. 1339. Just. C. P. 1342.

The burial-place of the Shardelowes was in the church of Thompson, in Norfolk: there the ancestors of John de Shardelowe were interred, and there both he and his wife reposed: there also his two sons founded a chapel dedicated to St. James at the altar of St. Martin. Besides possessions in this county, he had manors in Suffolk and Cambridge, and considerable property in the latter.

His name appears as an advocate in the Year Books of Edward II. and the early part of Edward III. He was raised to the bench of the Common Pleas, in the room of

[1] Dugdale's Orig. 45.; and Chron. Series; Cal. Rot. Pat. 171.

Thomas Bacon, on January 28, 1332, 6 Edward III., on which occasion he was created a knight of the Bath. Dugdale says, that he exchanged his court with Robert de Scardeburgh for that of the King's Bench, on September 6, 1339. Yet the same author states that fines continued to be levied before him till a month after Michaelmas, 1340, 14 Edward III.; and this being a duty solely devolving on judges of the Common Pleas, it would seem that his absence from the court was but temporary. It was about the latter period that Edward III. returned to England from Tournay, and visited upon his ministers his disappointment at the failure of supplies. Shardelowe, in whichever court he then acted, was one of the victims, being removed from his office, and imprisoned. The charge against him does not appear; but, in little more than a year, he was restored to his place in the Common Pleas, his patent being dated May 16, 1342, 16 Edward III. He was a trier of petitions in the parliament of the next year, and died in 18 Edward III.

He left two sons, John and Thomas, the latter of whom we take to have been attorney-general in 40 Edward III. The family continued to flourish in Norfolk till 11 Henry VI., 1433, when it failed for want of male issue.[1]

## SHARESHULL, WILLIAM DE.

JUST. K. B. 1333. JUST. C. P. 1333, 1342. CH. B. E. 1344. JUST. C. P. 1345. CH. K. B. 1350.

THE manor of Shareshull, where William de Shareshull was born, is in the county of Stafford. He was brought up to the law, and is mentioned among the advocates in the Year Book of Edward II. In 5 Edward III. he was a king's serjeant, and in the next year was one of the council whom

[1] Blomefield's Norfolk, i. 476. 625—630.; Dugdale's Orig. 39. 45. 102.; and Chron. Series; Barnes' Edward III., 212.; Rot. Parl. ii. 135.; Cal. Inquis. p. m., ii. 117.

the king selected to advise him [1]; being about the same time invested with the knighthood of the Bath.

On March 20, 1333, 7 Edward III., he was constituted a judge of the King's Bench; but remained in that court for little more than two months, being removed into the Common Pleas on the 30th of May following. His continuance on the bench was interrupted in December, 1340, 14 Edward III., by his dismissal and imprisonment on some charge of mal-administration made by the king on his return from the siege of Tournay.[2] The particulars are not recorded; but in no very long time he recovered the royal favour, being reinstated on May 10, 1342; and on July 2, 1344, he was raised to the office of chief baron of the Exchequer. He sat in that court about sixteen months, when, on November 10, 1345, he was removed to the Common Pleas with the title of second justice, which he retained for the next five years; during which time he was appointed one of the custodes of the principality of Wales, &c., during the minority of the king's son.[3]

On the disgrace of William de Thorpe, October 26, 1350, 24 Edward III., he was advanced to the head of the court of King's Bench, and presided in it till July 5, 1357, 31 Edward III. While holding that office, he declared the causes of the meeting of five parliaments, from 25 to 29 Edward III.[4] He seems, indeed, at this time, to have been more a political and parliamentary judge than a man of law; for no chief justice is so seldom mentioned in the Year Books. Having pronounced a judgment against the Bishop of Ely, for harbouring one of his people who had slain a man of Lady Wake's, he was excommunicated by the pope, in the last year of his judicial career, for not appearing when summoned.[5]

[1] Rot. Parl. ii. 69.
[2] Barnes' Edw. III., p. 212.
[3] Cal. Rot. Pat. 154.
[4] Rot. Parl. ii. 226—264.
[5] Barnes' Edw. III., 551.

After retiring from the bench, on which he had sat, with a slight interruption, for above twenty-four years, he still retained the royal favour; for we find him in confidential positions as late as the thirty-fourth year of the reign.[1]

He lived beyond 37 Edward III., in which year he granted his manor of Alurynton, in Gloucestershire, to the abbot and convent of Oseney, in addition to lands at Sandford, in Oxfordshire, which he had given six years before. He was a benefactor also to the convents of Bruera and Dudley.

He left a son of the same name, who died in 1 Henry IV.[2]

## SHIRLAND, ALMARIC DE.

B. E. 1365.

OF Almaric de Shirland's personal history we can trace nothing, except that the manor of Mutford, in Suffolk, was conveyed to him in 45 Edward III. He was placed on the bench of the Exchequer as second baron on October 29, 1365, 39 Edward III., when a considerable change was made in the judges of all the courts. Beyond that day his name does not appear in the published records, except in the forty-fourth year, when he was sent into Lincolnshire and three neighbouring counties to borrow money for the king's use; and received his salary of forty marks a year as baron, together with an additional allowance, of the same amount, which the king had recently granted to him.[3]

## SHORDICH, JOHN DE.

B. E. 1336.

THE personal name of Shordich is unquestionably derived from the parish so called, formerly in the suburbs of London,

[1] N. Fœdera, iii. 457. 469.

[2] Cal. Inquis. p. m., ii. 204. 216. 226. 265., iii. 260.

[3] Ibid. ii. 315.; Issue Roll, 44 Edw. III., 112. 346.; Dugdale.

and now forming part of it. Probably it was so designated from containing the ditch through which the sewers of the city ran. So early as the reign of King John, a Hereward de Shoresdich is mentioned as undergoing the purgation of water on a charge of murder; but though he passed the ordeal, it is added that he renounced the kingdom [1]: and in the reign of Edward I. a Benedictus de Shordich had a grant from the king of some houses of a Jew in the Old Jewry, in the parish of St. Olave, in Colcherche-strete.[2]

It is not improbable that John de Shordich was the son of this Benedictus, who appears to have been a man of substance. John was an advocate in the court of Arches, and in 18 Edward II. was employed as one of the nuncios to treat in Flanders; and in the following year accompanied the king to France as part of his retinue.[3] He is styled "legum doctor," and "juris civilis professor." The "Magister" which is sometimes prefixed to his name applies, no doubt, to this degree, and not to any clerical order, as he was knighted in 17 Edward III., and is always afterwards described with that rank. For his services to Edward II. he was rewarded with the chief clerkship of the Common Bench, and with the manor of Passenham, in the county of Northampton. But by a petition to parliament in 4 Edward III. (after the king had freed himself from the control of his mother), he complained that he had been ousted by the queen both of his office and a large part of the manor; whereupon compensation was awarded to him.[4] From the previous year to the end of his life he was perpetually engaged in missions to different courts, both before and after he was appointed second baron of the Exchequer on November 10, 1336, 10 Edward III.[5] How long he remained in office does not appear; but when the

[1] Abbrev. Placit. 90.
[2] Abbrev. Rot. Orig. i. 74.
[3] N. Fœdera, ii. 559. 606.
[4] Rot. Parl. ii. 41.
[5] Cal. Rot. Pat. 126.

court was re-constituted on January 20, 1342, his name was omitted. He continued, however, to be engaged in diplomatic employments till the 18th year, about which time his death probably occurred, as he is not mentioned subsequently.[1]

A Nicholas de Shordich was a commissioner of array in Middlesex in 26 Edward III.[2]; and Richard de Shordich, a goldsmith, and William de Shordich, were two of the sureties for the goldsmiths who purchased the jewels which were stolen from the treasury in 31 Edward III.[3]

## SKIPWITH, WILLIAM DE.

JUST. C. P. 1359. CH. B. E. 1362. JUST. C. P. 1376.

*See* under the Reign of Richard II.

## SPAIGNE, NICHOLAS DE.

? KEEPER, 1371.

THE commencement of Nicholas de Spaigne's employment in Chancery does not appear. The earliest mention of his name is as one of the clerks in that department in 45 Edward III., when he was the last of four of them appointed to hold the Great Seal during the absence of Sir Robert de Thorpe, the chancellor, which began on March 18, 1371, but the termination of which is not recorded. In that and the two following years he was one of the receivers of petitions to the parliament, and probably died in 48 Edward III., 1374. He seems to have been connected with the county of York.[4]

## STEYNGRAVE, ADAM DE.

B. E. 1332. JUST. C. P. 1341. JUST. K. B. 1342.

OF Adam de Steyngrave, or Stangrave, little can be collected beyond his judicial appointments in each of the three

[1] N. Fœdera, ii. 772—1241., iii. 12.
[2] Ibid. iii. 243.
[3] Kal. Exch. i. 294.
[4] Rot. Claus. 45 Edw. III., m. 35.; Rot. Parl. ii. 303. 309. 317.; Abbrev. Rot. Orig. ii. 304.

courts. He no doubt belonged to the knightly family settled at the manor of that name in the parish of Edenbridge, in Kent. He was constituted a baron of the Exchequer on July 24, 1332, 6 Edward III., and remained there till January 20, 1341, 14 Edward III. He was not included in the new patent of that date; but on October 28 following he was made a judge of the Common Pleas; and on January 10, 1342, he became, by another change, a judge of the King's Bench. The time of his death or removal is uncertain; but it must have been before April, 1347, as his name is not included in the order for the judges' robes then issued. In 14 Edward III. he was one of the commissioners appointed by parliament to enquire into the true value of the bishopricks north of Trent.[1]

## STOKES, JOHN DE.

B. E. 1365.

THE name of Stok, Stoke, or Stokes, as it is indifferently spelled, is so common at this period, that it is impossible, without more distinct memorials than we have found, to say of what family this baron of the Exchequer was a member. There was in the reign of Edward II. a Ralph de Stokes who was a clerk of the great wardrobe; and in that of Richard II. an Alan de Stokes who held the same office; so that it is not impossible that this John de Stokes may have been the son of one and the father of the other. He was raised to the bench of the Exchequer on November 3, 1365, 39 Edward III.; and we find him sent, in the forty-fourth year, into Yorkshire and Northumberland, to obtain loans for the king from the wealthy of those counties, and to survey the alien priories.[2]

[1] Hasted's Kent, iii. 182.; Dugdale; Rot. Parl. ii. 119.

[2] Devon's Issue Roll, 133. 209.; N. Fœdera, iii. 778.; Issue Roll, 44 Edw. III., 256.

## STONORE, JOHN DE.

JUST. C. P. 1327. CH. B. E. 1329. CH. C. P. 1329.

*See* under the Reign of Edward II.

STONORE, not far from Sandwich, in Kent, may perhaps have been the birth-place of John de Stonore, as we find him, so early as 10 Edward II., taking a release of all the lands of Robert de Dumbleton, in Lesnes, in that county.[1] A manor, however, of the same name in Oxfordshire, may be thought to have a better claim to his nativity; unless, as is not unlikely, he gave his name to the manor; following the example of those spoken of by the Psalmist, who "call the lands after their own names."[2] An effigy in judges' robes, bearing his arms, is in the church of Dorchester, which is near to the manor.

He is frequently mentioned as an advocate in the Year Books of the early part of the reign of Edward II.; and he was so far advanced among the serjeants as to be summoned to assist at the parliament of the sixth year. In the ninth year he had a grant of 20*l.* per annum for his expenses in prosecuting and defending suits for the king; and on several occasions he was employed on special judicial commissions, his proceedings under which he was commanded, in 12 and 13 Edward II., to carry into the Exchequer to be estreated.

In the following year, on October 16, 1320, he was constituted a justice of the Common Pleas in the room of John Bacon; and the fines levied before him commence in the next month. Dugdale continues them, without stating any interruption, till the octave of Michaelmas, 27 Edward III., 1353[3]; and yet he introduces him into his list of justices of the King's Bench from 17 Edward II., 1323–4, till the end of that reign. As the authority quoted for this is only a

[1] Abbrev. Placit. 326.

[2] Psalm xlix. 11.

[3] Dugdale's Orig. 44.

liberate, no doubt ordering the payment of a salary, we should have supposed that Dugdale had mistaken the words "justiciarius domini regis," by which title the judges of both benches were then often called, as designating that he was a justice of the King's Bench; but that we find that John de Stonore, on May 3, 1324, in the same seventeenth year, was again constituted a judge of the Common Pleas, the patent containing no special words of explanation. As none of the commissions upon which he was placed, and none of his summonses to parliament about this period, in the slightest degree distinguish the court to which he belonged, we are unable to account for his re-appointment to the court of Common Pleas, except by supposing that, though there is no record of it, he was for a short time removed from that court, perhaps to make room for Walter de Friskency, and was replaced at the above date. However this may have been, there is no doubt that John de Stonore continued from that time a judge of the Common Pleas till the end of the reign; for we find his name to a fine in Trinity Term in 1326 [1], and that he was re-appointed by Edward III. a few days after he was proclaimed king.

On February 22, 1329, 3 Edward III., he was made chief baron of the Exchequer in the room of Walter de Norwich; and on September 3, in the same year, was further advanced to be chief justice of the Common Pleas, superseding William de Herle, who, however, was restored two years afterwards, on March 2, 1331; and John de Stonore, on April 1, was placed in the second seat in the court. From this he seems to have been removed, on July 16, 1333, 8 Edward III., by Geoffrey le Scrope; but on July 7 in the following year, on the resignation of William de Herle, Stonore was reinstated as chief justice.

On the king's return from Tournay, at the end of the year

[1] Dugdale's Orig. 94.

1340, both he and several other judges, for some alleged misconduct the particulars of which have not transpired, were removed from their places, and imprisoned[1]; and Roger Hillary was constituted his successor on January 8, 1341, 14 Edward III. No record remains of the investigation that followed, nor does Stonore's name occur for the next sixteen months; but we may presume that the charges against him were not very heavy, or that they were not substantiated, inasmuch as he was restored to his place of chief justice of the Common Pleas on May 9, 1342, 16 Edward III., and remained undisturbed in it till 28 Edward III., 1354, when he died, leaving large possessions in nine counties, to which his son, also named John, succeeded.

One of his descendants, Thomas Stonor, of Stonor Park, in Oxfordshire, was summoned to parliament on September 14, 1839, as the senior co-heir of Hugh, Baron Camoys, who died in the reign of Henry VI., when the title fell into abeyance between his two sisters; Queen Victoria having terminated it in favour of Mr. Stonor, the representative of the elder.[2]

## STOUFORD, JOHN DE.

Just. C. P. 1342. Ch. B. E. 1345. Just. C. P. 1345.

Dugdale spells this name Stouford, and I think correctly; although it is called Stonford in the Rolls of parliament, in the Abbreviatio Rotulorum Originalium, and in the Calendar of Inquisitions. The latter work (ii. 171.) mentions a messuage and carucate of land belonging to John de Stonford, at Stonford, near West-Dene, in Devonshire; and Prince, in his Worthies of Devon, specifies Stowford, in the parish of West-Down, as the birth-place, about 1290, of John de

[1] Barnes' Edw. III., 213.

[2] Cal. Inquis. p. m., ii. 188, 242.; Cal. Rot. Pat. 88—142.; Dugdale; Burke.

Stowford, the judge. The mistake of the letter *u* for *n* in the old writing may be very naturally supposed, when there is other evidence of the pronunciation of the name. We have in 1307 a John de Stoford who was a manucaptor for a burgess returned to parliament for Plympton[1], in the neighbourhood of his native place; a John de Stoford who was one of the custodes of the "terra maritima" of Devon, in 14 Edward III.[2]; and in the same year a John de Stovord, made one of the king's serjeants-at-law.[3] The first of these was probably the father of the judge; and in the two latter, with little doubt, we have the judge himself.

He is among the advocates whose names are recorded in the Year Books in the early part of the reign; and he was raised to the bench of the Common Pleas on April 23, 1342, 16 Edward III. There he remained till November 10, 1345, when, on the transfer of William de Shareshull to the Court of Common Pleas, he was placed for about a month in the office of chief baron of the Exchequer; being superseded, on December 8, by Robert de Sadington. This was no doubt a temporary arrangement for the accommodation of the latter, who had lately been removed from the office of chancellor; as John de Stouford certainly resumed his place in the Common Pleas, fines acknowledged before him from that time till Midsummer, 1372, 33 Edward III., being still extant.[4] There is no evidence of his living after the latter date; and his death is stated to have occurred at his house at Stouford, his remains being buried in the church of West Down.

There are several entries of grants made by him for pious uses[5]; and he is reputed to have built the bridge over the Taw, near Barnstaple, besides another between that town

[1] Parl. Writs, ii. P. i. 5.
[2] N. Fœdera, ii. 1112.
[3] Dugdale's Chron. Series.
[4] Dugdale's Orig. 45.
[5] Cal. Inquis. p. m., ii. 106. 171, 172. 190.

and Pilton, in consequence of finding a poor woman and her child drowned in the neighbourhood.

He married Joan, a co-heir of Tracy of Wollocombe, a name assumed by the family in the reign of George I.[1]

## STOWE, WILLIAM DE.

B. E. 1341.

William de Stowe, whose name first appears as a witness to the release executed to King Edward III. in 1327 by the widow of Aylmer, late Earl of Pembroke[2], was made a baron of the Exchequer on January 20, 1341, 14 Edward III. He continued in that court till the twentieth year, when we find him recorded among the judges from whom loans were required[3]; but he is omitted in the list of those for whom, in the following year, robes were ordered.[4] The date of the first record is February 12, 1346, and of the last, April 1, 1347; so that his retirement from the bench must have occurred between those two days.

We know not whether he is the same William de Stowe who is mentioned in connection with the abbey of St. Edmund's Bury in 9 Edward III.[5]; but he was parson of the church of Sabrithesworth; and it does not seem improbable that his removal from the Exchequer was occasioned by a complaint made against him under that description in the parliament of Hilary, 21 Edward III., for maintenance and menaces against the petitioners.[6] He was still alive in the twenty-sixth year, when he endowed that church with a house in the parish.[7]

[1] Prince's Worthies.
[2] N. Fœdera, ii. 698.
[3] Rot. Parl. ii. 453.
[4] Abbrev. Rot. Orig. ii. 192.
[5] N. Fœdera, ii. 924.
[6] Rot. Parl. ii. 179.
[7] Abbrev. Rot. Orig. ii. 224.

## STRATFORD, JOHN DE, Archdeacon of Lincoln, Bishop of Winchester, Archbishop of Canterbury.

Chancellor, 1330.

John de Stratford was born at Stratford-on-Avon, in Warwickshire, where he had property.[1] The condition of his parents does not appear; but that they were in easy circumstances may be inferred from the fact that he was educated at Merton College, Oxford, in which university he took the degree of Doctor of Laws. He is believed to have been the nephew of Ralph Hatton de Stratford, Bishop of London.[2]

That he occupied some official position as early as the year 1317, 10 Edward II., there can be little doubt, as he was summoned, twice in that and once in the next year, among certain judges and other legal persons, to advise with the council on various important subjects. In like manner he was summoned to parliament in the four following years; and, from the place in which his name occurs, it would seem that he was either an officer of the Exchequer, or, perhaps, a clerk in the Chancery.[3]

On September 13, 1319, he was admitted to the Archdeaconry of Lincoln[4]; and in December, 1321, he was sent on a mission to the pope on the affairs of Scotland. Either before or just after this event, Archbishop Hubert Walter appointed him dean or chief judge of his court of Arches; in which office he exhibited, not less in his knowledge of law than in the adjudication of the cases before him, the quickest discernment and the most consummate prudence. From 1321 to 1323 he was engaged in frequent embassies to the papal court at Avignon; and being there on the death of his

[1] Cal. Inquis. p. m., ii. 46.
[2] Mr. J. G. Nichols, in his notes to Erasmus' Pilgrimages, p. 99.
[3] Parl. Writs, ii. P. ii. 1471. [4] Le Neve, 156.

colleague, Reginald de Asser, Bishop of Winchester, on April 12[1] in the latter year, he succeeded, notwithstanding the king's urgent applications in favour of Robert de Baldock, in obtaining a bull from Pope Pius XXII., dated June 20, 1323, conferring upon him the vacant bishoprick.

The king's anger was excessive. He remonstrated with the pope, issued directions to the bailiffs of the different ports to arrest any messengers coming into England with letters on the subject, and expressed the bitterest rancour against the new-made prelate; calling him, in one of his missives, "pseudo nuntium" and "adversarium nostrum," and dismissing him from his ambassadorial functions in terms of indignation. On his arrival in England, proceedings were immediately commenced against him in the Court of King's Bench, which were removed to the parliament summoned for February, 1324: in them he was addressed merely by his name, without the episcopal title; an omission which he, in his answers, was most careful always to supply. No further record of the process appears; but, by the intercession of the pope, Stratford was at last reluctantly recognised, and had his temporalities restored by a patent dated June 28, 1324.[2] It seems, however, that this was purchased by the bishop's bond to pay the king 10,000*l.*, 8000*l.* of which was to be void on the death of the king or the bishop.[3] No part even of the 2000*l.* was claimed during that reign; for from that time he enjoyed the full confidence of the king, by whom he was employed in his negotiations with the court of France, and to whom he faithfully adhered when others had deserted the royal cause. After Edward's retirement he joined in the election of the prince as custos of the kingdom. On October 26, 1326, and on November 6, he was constituted *locum tenens* of the treasurer, and remained so for a short time. It is some credit

[1] N. Fœdera, ii. 462—515.
[2] Ibid. 526—557.
[3] Parl. Writs, ii. P. ii. 258.

to Queen Isabella that she thus showed her respect for the bishop's fidelity to her husband, and that she then employed him in prosecuting the treaty with France, although she insisted on the payment of 1000*l.* of his bond. It was not, however, till her removal from power, and the assumption of the kingly office by her son, Edward III., that the bishop was called to a prominent position in the royal councils. He was then constituted chancellor on Nov. 28, 1330, 4 Edw. III.[1], and immediately was released from all arrears of his old obligation.[2] He accompanied the king to France in the following April, both of them, according to Barnes, assuming the disguise of merchants, in performance of a certain vow; and in the next November he was sent abroad on a mission relative to the affairs of the duchy of Acquitaine, from which he returned in time to open the parliament at Westminster on March 12, 1332.

On the death of Simon Mepham, Archbishop of Canterbury, Stratford was translated to the vacant primacy, November 3, 1333, and the temporalities were restored on February 5, 1334. On the 28th of the following September he resigned the Great Seal[3], which was given to Richard de Bury, Bishop of Durham, who held it only till June 6, 1335. It was then restored to Stratford[4], and retained by him for nearly two years, viz., till March 24, 1337, his brother, Robert de Stratford, Bishop of Chichester, being appointed his successor.[5] During the whole of this time he was continually engaged in embassies to France and other powers; and was actively employed in similar duties during the three next years, and in presiding over the council while the king was absent.[6]

On April 28, 1340, 14 Edward III., he was a third time

[1] Rot. Claus. 4 Edw. III., m. 16.
[2] Rot. Claus. 8 Edw. III., m. 10.
[3] Rot Parl. ii. 60.
[4] Ibid. 9 Edw. III., m. 23.
[5] Ibid. 11 Edw. III., p. 1. m. 29.
[6] N. Fœdera, ii. 883—1115.

constituted chancellor[1]; but on June 20 following, on account of his increasing infirmities, he resigned the Seal to the king, which was thereupon again entrusted to his brother, Bishop Robert.[2]

From the commencement of his first chancellorship till his final retirement from the office, the archbishop had been the chief counsellor of the king; and even now, on Edward's proceeding to France, he was left as president of his council. But the French wars had emptied the Exchequer; the king's arms were unsuccessful before Tournay, and his allies were pressing in their demands for money which was not forthcoming. Irritated by his forlorn condition, he listened to the intimations of his courtiers that his officers were unfaithful and treacherous; and coming suddenly to England, on November 30, 1340, he removed the chancellor, confined some of the judges, and hastily sent for the archbishop. The primate, however, thought it prudent to escape to Canterbury, and to refuse to answer except before his peers. Edward issued a declaration full of accusations, to which the archbishop replied, justifying his conduct, and successfully refuting the charges. The wordy war continued till the parliament met in April; when, though the prelate went submissively into the Exchequer to hear the information that had been filed against him, he was for some time refused admittance into the hall, but was at last allowed to take his seat. The lords supported his appeal to their jurisdiction, and the question was referred to a committee, who reported in his favour. By the intercession of both houses, however, the business was stifled; and the archbishop having humbled himself, and the king having pardoned him, the proceedings were annulled in the next parliament in Easter, 1343, as contrary to reason and truth.[3]

[1] Rot. Claus. 14 Edw. III., p. 1. m. 27.
[2] Ibid. v. 1. m. 13.
[3] N. Fœdera, ii. 1141. 1143. 1147. 1154.

In July, 1345, he was appointed the head of the council left as advisers of the king's son, Lionel, to whom the custody of the kingdom had been entrusted; and a similar confidence reposed in him in the following year[1] is the last record of importance in his career. He died at Mayfield, in Sussex, on August 23, 1348, 22 Edward III., after sitting as primate nearly fifteen years, and was buried in Canterbury cathedral.

His liberality to his church, his charity to the poor, his humble and pleasing manners, and his natural sense and general learning, are acknowledged by all his biographers. That his reputation was high as an able politician, a loyal counsellor, and a man of deep legal knowledge for the time, is evidenced not more by the number of years during which he was engaged in high employments, than by firmness in meeting his temporary disgraces, and the alacrity with which his talents were again put in requisition. He is said to have crossed the Channel thirty-two times in the public service.

He built and handsomely endowed a college in his native town.[2]

## STRATFORD, ROBERT DE, Archdeacon of Canterbury, Bishop of Chichester.

Keeper, 1331. Chancellor, 1337.

Robert de Stratford, brother of John, was also born at Stratford-on-Avon, and was parson of the church there. It is probable that he, like his brother, was educated at Oxford, as he afterwards became chancellor of that university, and distinguished himself by his firmness and prudence in settling the violent differences that had arisen between the northern

[1] N. Fœdera, iii. 50. 85.

[2] Godwin de Præsul. 106. 224.; Le Neve, 6. 156. 286.; Barnes' Edw. III., 43—216.; State Trials, i. 57.; Dugdale's Chron. Series.

and southern scholars as to the election of proctors. The date of this event does not appear.

The first time his name occurs is on April 1, 1331, 5 Edward III., in the first chancellorship of his brother, who, being then about to accompany the king to France, sent the Great Seal to his house in Southwark, in charge of Robert, under the seal of the master of the Rolls; after which they both continued to seal with it till the chancellor's return on April 20.[1] In the course of the same year he was made chancellor of the Exchequer.[2] The Seal was again left in the hands of these two on November 21 following[3]; and on June 23, 1332, Robert de Stratford was alone appointed by his brother to receive it, and to do the business appertaining to the office.[4] During the time it now remained in his possession, he was called the chancellor's *locum tenens;* and he was one of the three commissioners named to open the parliament in the following December.[5] He was a third time entrusted by his brother with the Seal on April 6, 1334, to be kept by him under the seals of two of the clerks of the Chancery.[6]

His brother's first chancellorship terminated on Sept. 28 following; on which occasion Robert is for the first time called Archdeacon of Canterbury.[7] Le Neve (p. 12.) places him in his dignity in 1331; but it is unlikely, if he held it, that the title should have been omitted in the records till now, the more especially as it was afterwards invariably added. He was also a canon in St. Paul's and Lincoln cathedrals.

When his brother, the archbishop, was made chancellor a second time on June 6, 1335[8], the Seal was again given to Robert as *locum tenens;* and it is probable that he continued to act in that capacity till March 24, 1337, when, on his

[1] Rot. Claus. 5 Edw. III., m. 17. 20.
[2] Cal. Rot. Pat. 112.
[3] Rot. Claus. 5 Edw. III., p. 2. m. 2
[4] Ibid. 6 Edw. III., m. 22.
[5] N. Fœdera, ii. 848.
[6] Rot. Claus. 8 Edw. III., m. 27.
[7] Ibid. m. 10.
[8] Ibid. 9 Edw. III., m. 23.

brother's resignation, he was himself constituted chancellor.[1] In the following September he was raised to the bishoprick of Chichester on the death of John de Langton; and on July 6, 1338, on account of his unexplained wish to be exonerated from the chancellorship, the Great Seal was given to Richard de Bynteworth, Bishop of London.[2]

After Bynteworth's death the archbishop again took the Seal for two months, apparently to hold it during the absence of his brother Robert, who received the appointment a second time on June 20, 1340, but was not sworn in till July 12.[3] He accompanied the king to France in September, and was with him before Tournay.[4] When he quitted the camp he left enemies behind him, who whispered in the king's ear that his disappointment in receiving supplies was attributable to his ministers at home. The king was too easily persuaded; and making a hurried journey, arrived at the Tower of London in the middle of the night on November 30, and the next morning not only took the Great Seal away from the bishop, but threatened him with imprisonment, being only prevented from carrying his intentions into execution by the Clementine prohibition against such an indignity on ecclesiastics of that rank.

The bishop does not appear to have been included in the subsequent proceedings against his brother; but if he were, he no doubt participated in the pardon; for in May, 1343, he was sent on a mission to the pope, and was left one of the council when Prince Lionel was appointed custos of the kingdom in July, 1345.[5]

He survived his brother nearly fourteen years, and died at Aldingburne on April 9, 1362, whence his body was removed to his own cathedral for burial.

[1] Rot. Claus. 11 Edw. III., p. 1. m. 29.
[2] Ibid. 12 Edw. III., p. 2. m. 33.
[3] Ibid. 14 Edw. III., p. 1. m. 13.
[4] Rot. Pat. 14 Edw. III., p. 1. m. 33.
[5] N. Fœdera, ii. 1223., iii. 50.

He was a prelate of great resolution and courage; and, notwithstanding the king's charges against him, seems to have been uncorrupt and faithful. He is mentioned as a considerable benefactor both to the place of his birth and the city of his cathedral.[1]

## TANK, WILLIAM.

CH. B. E. 1374.

UNTIL William Tank was constituted chief baron of the Exchequer, in the place of Thomas de Lodelowe, on February 3, 1374, 48 Edward III., we do not find any mention of his family, nor of his name except as an advocate in the Year Books from the twentieth year. During the short period that he presided in the court he acted as a judge of assize; and there are two instances of grants to him of the custody of lands pending the minority of the heir; both of which being in Sussex, it is not improbable that he was settled in that county. He was succeeded as chief baron by Henry de Asty on November 12, 1375.[2]

## THORESBY, JOHN DE, BISHOP OF ST. DAVID'S and WORCESTER, and ARCHBISHOP OF YORK.

M. R. 1341. KEEPER, 1343. CHANCELLOR, 1349.

JOHN DE THORESBY, or Thursby, was born at a manor of that name in Wensleydale, in Yorkshire, which had been long in the family; and was the second son of Hugh de Thoresby, who was lord of it in 9 Edward II.[3] He was brought up to the church; and greatly distinguished himself while at Oxford by his attainments in the study of divinity, taking a high degree in both laws. So early as 1 Edward III. he was

[1] Godwin de Præsul. 507.; Mr. Bowchier's Account of the Bishops of Chichester in the Chapter Books; Barnes' Edward III., 213.

[2] N. Fœdera, iii. 997.; Abbrev. Rot. Orig. ii. 331. 336.

[3] Parl. Writs, ii. P. ii. 410.

the last named in a mission to the pope to procure the canonization of Thomas, Duke of Lancaster. At that time he probably was a clerk in the Chancery, where he continued to act for several years; and having in 10 Edward III. been served in open court with a monition to appear before the pope on some appeal, the papal messengers were straightway committed to prison as guilty of a contempt, and were only released by the intercession of Queen Philippa.[1] This, however, did not prevent his being again sent to the pope, four years afterwards, to obtain a dispensation for the proposed marriage between Hugh le Despencer and the daughter of the Earl of Salisbury.

In the following year, on February 21, 1341, he received the appointment of master of the Rolls in the place of Thomas de Evesham.[2] During the illness and at the death of Chancellor Parning, in 1343, he did the duties of the Seal; and, with two of the clerks of the Chancery, held it till Robert de Sadington was invested with the office.[3]

It does not precisely appear how long he continued master of the Rolls; but certainly as late as May 20, 1345. But as he no doubt resigned that post on being made keeper of the Privy Seal, by which designation he is first described on the 26th of the following July, his nomination to the latter probably took place between those months.[4]

In the previous year he obtained a canonry in Lincoln cathedral, and again visited the papal court as one of the king's ambassadors; performing the same duty in France in 1346.[5]

On September 3, 1347, he was consecrated Bishop of St. David's; and on June 16, 1349, 23 Edward III., within a month after the death of John de Offord, he was appointed

[1] Prynne on 4th Inst. p. 16.
[2] Rot. Claus. 15 Edw. III., p. 1. m. 34.
[3] Ibid. 17 Edw. III., p. 2. m. 24.
[4] N. Fœdera, ii. 897. 1119, iii. 89. 53.
[5] Ibid. iii. 25. 54. 92.

his successor as chancellor.[1] On the 4th of the following November he was translated to the bishoprick of Worcester; and by papal provision was raised to the archbishoprick of York on October 22, 1352. He was left one of the custodes of the kingdom when King Edward renewed his invasion of France in 1355[2]; but on his sovereign's return after the battle of Poictiers in the ensuing year, his advancing age prompted him to apply for liberty to retire from the chancellorship, which he had held with credit and honour longer than any other chancellor of this reign, though for little more than seven years in all, during four of which he had been archbishop. He was accordingly, "benevole et gratanter," exonerated from his duties on November 27, 1356, when the Great Seal was placed in the hands of William de Edington, Bishop of Winchester.[3]

His political duties during the seventeen remaining years of his life were confined to conducting various treaties with the Scottish king; but for the most part he devoted himself to his episcopal functions, and to the renovation of his cathedral. He laid the first stone of the new choir on July 29, 1362; and besides exciting the nobles and clergy of his province to aid his endeavours, he expended large sums in carrying on that splendid work, and also in restoring and ornamenting the chapel of St. Mary, where his remains were afterwards deposited. The question of precedence between the two archbishops, which had for many years occasioned unseemly contests, was settled by agreement between him and Archbishop Islip; and Pope Innocent IV., in his confirmation of the arrangement, introduced the nice distinction of primate of England, and primate of *all* England. He is said by some to have been created a cardinal by Pope Urban V.; but his

[1] Rot. Claus. 23 Edw. III., p. 1. m. 8.
[2] N. Fœdera, iii. 305.
[3] Rot. Claus. 30 Edw. III., m. 4.

name does not appear in the most authentic lists, nor is he ever so called in the English records.

After presiding over his province for twenty-one years, he died at his manor of Thorpe on November 6, 1373, having been engaged in the public service for nearly forty-eight years of Edward's reign, with a character honourably described as "contentionum et litium hostis, et pacis et concordiæ amicus." Besides several other religious works, he wrote a commentary in the English tongue on the Lord's Prayer, the Decalogue, and the Articles of Faith, for the use of the people of his province. That on the Ten Commandments is printed by Thoresby in the appendix to his "Vicaria Leodensis."[1]

## THORPE, ROBERT DE.

JUST. ITIN. 1330.

THIS Robert de Thorpe, who was a justice itinerant into Derbyshire in 4 Edward III., 1330, was clearly a different person from the chief justice and chancellor in a later period of the reign; but the Thorpes were so numerous that it would be merely guess-work to attempt to fix the family to which he belonged. He may have been the son of John and Alicia de Thorpe, of Creek, in Norfolk, and Combes, in Suffolk; and if so, he died in the same year he acted as justice itinerant, and was succeeded by his son John. We are not certain whether this was the same Robert who was member for Northamptonshire in 17 Edward II.; but it seems not improbable, as he was frequently employed on judicial enquiries in various counties and the perambulations of the forests.[2]

[1] Godwin de Præsul. 464. 581. 687.; Chambers' Biog. Illust. of Worcest.; Drake's Eboracum, 434.

[2] Dugdale; Cal. Inquis. p. m., i. 310., ii. 30. 159.; Parl. Writs, ii. 1505.

## THORPE, ROBERT DE.

CH. C. P. 1356. CHANCELLOR, 1371.

ROBERT DE THORPE was a native of Thorpe, near Norwich, and was educated at Cambridge, in which university he laid the foundation of the divinity schools, with the chapel over them, in 1356, and was afterwards master of Pembroke College. He was brought up to the law, and commenced his career as an advocate as early as 14 Edward III., 1340, attaining the rank of king's serjeant in 1345. Coke calls him "a man of singular judgment in the laws of this realm." He was appointed one of the justices to try felonies in the county of Oxford, in 1355, and was frequently employed as a justice of assize; but held no seat on the judicial bench at Westminster until he was selected to be the successor of Roger Hillary, as chief justice of the Common Pleas, on June 27, 1356, 30 Edward III. Nine years afterwards he had an extended grant of 40*l.* a year to support the dignity of knighthood which the king had conferred upon him; and he continued to preside in that court for nearly fifteen years. So high a character did he acquire, that when the Commons petitioned the king that none but laymen should be placed in the higher offices of the state, he was deemed the fittest man to supersede William of Wykeham, Bishop of Winchester, as chancellor; and the Great Seal was accordingly delivered to him on March 26, 1371, 45 Edward III.[1]

He enjoyed this dignity little more than a year, his death occurring on June 29, 1372, at the Bishop of Salisbury's house, in Fleet Street.[2] By his will, which bears date on the same day, he leaves to his executors, Sir John Knyvet (who was appointed chancellor in his place), John de Harleston, John de Bretton, and Richard Treton (who afterwards

[1] Rot. Claus. 45 Edw. III., m. 35. [2] Ibid. 46 Edw. III., m. 20.

became master of Corpus Christi College), all his goods, together with his possessions in London, to be disposed of in such manner as they should judge would be most beneficial to his soul. Among the appropriations which they made, were grants to all the colleges then established at Cambridge for an annual commemoration of him.

He married Margaret, the daughter of William Deyncourt, but left no children; his brother, Sir William de Thorpe, being his heir.[1]

## THORPE, WILLIAM DE.

Just. C. P. 1342. Just. K. B. 1345. Ch. K. B. 1346. ? B. E. 1352.

To which of the families of Thorpe this William de Thorpe belonged, we have not been able precisely to ascertain. His name appears in the Year Books as an advocate as early as 7 Edward III. In 15 Edward III., 1341, he was made one of the king's serjeants; and is called the king's attorney in the following year. In that year, on April 23, 1342, he was raised to the bench. The words used are "unus Justiciariorum ad placita in Banco."[2] Dugdale thereupon inserts him among the justices of the Common Pleas; but as he does not mention any fines levied before him, and introduces his name as a justice of the King's Bench in the nineteenth year, on the authority of the liberate Roll, without mentioning the date of his removal from the Common Pleas, it may be doubtful whether his first appointment was not to the King's Bench, especially as he became the chief of it on November 26, 1346, 20 Edward III. In that character he opened the parliaments of the two following years.[3]

Towards the end of 1350, charges were made against him

[1] Abbrev. Rot. Orig. ii. 337.; Cal. Inquis. p. m., 322.; Masters' Hist. of Corp. Christi Coll., Cambridge, 28.; Dugdale's Chron. Series.

[2] Cal. Rot. Pat. 142.

[3] Rot. Parl. ii. 164. 200.

of malversation in his office; and the king issued his writ, on November 3, to the Earls of Arundel, Warwick, and Huntingdon, and to John de Grey of Retherfield, his steward, and Bartholomew de Burghersh, the chamberlain, to have him before them, and to do justice according to his demerits. They immediately proceeded on their commission; when he confessed that he had received bribes from Richard de Salteby, of 10*l.*; from Hildebrand Bereswerd, of 20*l.*; from Gilbert Haliland, of 40*l.*; from Thomas de Derby of St. Bartholomew, of 20*l.*; and from Robert de Dalderby, of 10*l.*; all of whom had been indicted before him at Lincoln; and that he had therefore caused the writ of exigent against them to be stayed: whereupon he was committed prisoner to the Tower of London, and all his lands and goods were ordered to be seized into the king's hands, until the royal will and pleasure should be known.

With this legal and reasonable judgment, however, the king was not satisfied; and accordingly issued another writ on November 19, in which, after reciting the oath taken by the justices, that none of them should accept any gift or reward from any one who had a plea or process before them, it was added, that when Sir William de Thorpe took that oath, the king, "ore tenus," imposed such punishment, that if he in any manner acted contrary thereto, he should be adjudged to be degraded and hanged. And then, after detailing the offence with which Thorpe was charged, and his confession, and dilating on the augmented fees assigned to the judges, and their three robes a year, the king states that he is greatly moved at the judgment pronounced by the justices assigned to try him, and that they have forborne to proceed on the sentence agreed to be imposed on him. He then commands the same parties immediately to pronounce the judgment agreed upon. This was accordingly done on November 19, 1350, 24 Edward III.; and thereupon, on the same day, the

king, by writ of Privy Seal, signified that he "gave and forgave him his life," but ordered his body to be remitted to prison.[1] The record and process were afterwards laid before the parliament, which confirmed the judgment.[2] Coke says, that Sir William Thorpe was pardoned and restored to all his lands, "as by the record appeareth;"[3] but the record, as published, only says that the execution of the judgment of hanging was pardoned to him, and that he was remitted to prison to await the king's favour. The remainder of the judgment, "that all his lands and goods should be forfeited to the king," is left unnoticed, and consequently unpardoned; and by entries on the records of that year[4], it appears that the sheriffs of Lincoln and other counties were directed to take his lands, &c., into the king's hands, as convicted of certain crimes; and that four of his horses, "cum cellis frenis et garconibus," were seized by one of the sheriffs of London.

In the following year, however, he received the king's pardon, with the restoration of part of his lands; viz., the manor of Changton, in Sussex.[5] He was not restored to his office of chief justice, which William de Shareshull certainly held during the next five years; but after an interval of eighteen months he was made second baron of the Exchequer, on May 24, 1352, 26 Edward III.; unless the William de Thorpe who then received that appointment was a different person. In the absence of any evidence to the contrary, there is good reason to believe that he was the same person; the more especially as we have instances, ten years before, of the king's reinstating judges against whom charges had been made; and as it was extremely improbable that a person, of whom no previous notice exists of his being

[1] N. Fœdera, iii. 208.
[2] Rot. Parl. ii. 227.
[3] Third Inst. 145.
[4] Abbrev. Rot. Orig. ii. 211, 212.
[5] Cal. Rot. Pat. 160.

connected with the court, should be at once raised to the office of second baron, above the other occupants of that bench.

The whole proceeding is very extraordinary. The charge was for receiving bribes contrary to his oath; an offence which did not touch the delinquent's life by any law then existing; and so the commissioners appointed for his trial found, and therefore sentenced him only to imprisonment, and the forfeiture of his lands and goods. It is curious then to see the king endeavouring to enforce the capital penalty by his own personal declaration to Thorpe, when he took the oath, that he should be hanged if he infringed it; and afterwards, when these judges had complied with his mandate, immediately granting a pardon of the extreme part of the sentence; as if he were conscious that he was exceeding the law. His order, a few days subsequently, to lay the proceedings before parliament, is further evidence of his own doubts; and on the discussion in the following February, though the judgment was affirmed by the compliant Peers, it was with a reservation which sufficiently manifested their hesitation in recognising it; viz., that such a judgment should be only good against a delinquent who had the administration of the laws of England. The effect which the king desired was no doubt produced; and being satisfied with showing how far his power would extend in similar cases, it is not improbable that, after a decent term of purgation, he would be glad to avail himself of the services of a learned and useful man, not by restoring him to the high place he had before occupied, but by placing him in the second seat on another bench.

From a passage in the Liber Assisarum of 28 Edward III., p. 145., where Thorpe is said to have been "then made chief justice," it might be inferred that he was restored to his

former place; but attention to the context clearly proves that the expression merely means that he was made chief justice in the commission of assizes in Sussex, in the place of H. Green, who had been sent on some other service; as we should now say, the senior judge of assize.

Whether the baron of the Exchequer were the same or a different person, he was present among the judges in the parliament of 28 and 29 Edward III.[1], but not later.

Within a few years three William de Thorpes are mentioned; in Nottingham, Northampton, and Sussex[2]; but we cannot satisfactorily identify either with the judge.

## TOUTHEBY, GILBERT DE.

JUST. ITIN. 1329.

*See* under the Reign of Edward II.

GILBERT DE TOUTHEBY was an advocate of considerable eminence. His name frequently appears in the Year Books among the counsel during the reign of Edward II., and in the first two years of Edward III.; often abbreviated "Toud." In 9 Edward II. he was employed in prosecuting and defending the king's suits, and had a grant, with three others, of 20*l.* for his expences therein, being at that time a king's serjeant-at-law. The next year he was summoned among the legal assistants to parliament; and so continued to be during the remainder of the reign. He is first mentioned in a judicial capacity, as one of the justices appointed in Lincolnshire in March, 1318, 11 Edward II., and most of his future commissions were in that county. It is evident that these occasional employments as a judge did not prevent his pursuing his profession as an advocate; for we not only find him engaged in cases as a serjeant-at-law in 14 Edward II., but on the accession of Edward III. his stipend for prosecuting and

[1] Rot. Parl. ii. 254. 267.

[2] N. Fœdera, iii. 221. 457. 464.

defending the king's causes was renewed to him. He certainly acted as a justice of assize under the latter king; but there is no mention of him later than the third year.

The custody of the manor of Foxton in Northamptonshire, and of those of Welle and Brumpthorp in Lincolnshire, was committed to him by Edward II. during the minority of the heirs.[1]

## TRAVERS, JOHN.

JUST. C. P. 1329.

JOHN TRAVERS was of a Lancashire family, and was returned member for that county to the parliament of 35 Edward I. Under Edward II. he was frequently employed in it as commissioner of array, assessor of the aids, and custos of the lands forfeited by Thomas, Earl of Lancaster, and his adherents. In the second year of the reign of Edward III. we find him employed with the seneschal of Gascony and the constable of Bordeaux, to treat with certain German princes; and on March 2, 1329, in the next year, he was constituted a justice of the Common Pleas. Though the fines levied before him do not extend beyond the middle of 1331, he is mentioned in the Year Book of the reign as late as Michaelmas, 1333. About that period he received the appointment of constable of Bordeaux, and died within four years; for in 11 Edward III. certain houses in the parish of St. Andrew, Holborn, which belonged to him, and which came into the king's hands for debts due at the time of his death, were granted to two clerks of the Chancery at two marks a year, until they were redeemed by payment of the full account. These, Dugdale therefore thinks it probable, were used as an hospicium for the clerks of the Chancery; and that they formed the site of the Inn of Chancery now, by a

[1] Rot. Parl. i. 352. 370. 433., ii. 402.; Dugdale; Parl. Writs, ii. P. ii. 1518.; Abbrev. Rot. Orig. i. 218, 219., ii. 24.

corruption of the judge's name, called Thavie's Inn. In a subsequent page, however, he overturns this derivation by proving that the Inn in question received its name from its owner, John Tavie, at the time of whose death it had been inhabited by apprentices of the law.[1]

## TREVAIGNON, JOHN DE.

Just. C. P. 1334.

The materials for drawing up an account of John de Trevaignon are very scanty. He was of a Cornish family, the descendants of which still flourish in that county. His name appears in the reign of Edward II. as an advocate in the courts. In 4 Edward III., he had the degree of the coif; and was afterwards one of the king's serjeants. On September 24, 1334, 8 Edward III., he was constituted a judge of the Common Pleas; and probably died within the next year, as no fines were acknowledged before him subsequent to Michaelmas Term, 9 Edward III.

In 21 Edward III. a John de Treyvenoun, probably the judge's son, is mentioned as receiving a commission to impress ships for the passage of Johanna, the king's daughter, to Gascony. In 30 Edward III, Sir John Trevaignon, knight, perhaps the same person, accompanied Edward, Prince of Wales, to that country; and in the thirty-third year was a commissioner of array in Cornwall.[2]

## TRIKINGHAM, LAMBERT DE.

Just. Itin. 1329.

*See* under the Reigns of Edward I. and Edward II.

The legal and judicial life of Lambert de Trikingham extended from the reign of Edward I. to that of Edward III.

[1] Parl. Writs, i. 868., ii. P. ii. 1520.; Cal. Rot. Pat. 103. 105. 118.; Dugdale's Orig. 45. 143. 271.

[2] Year Book, Edw. II.; Dugdale's Orig. 45.; N. Fœdera, iii. 146. 325. 456.

His family was so called from a place of that name in Lincolnshire; and Alexander de Trikingham, who acted in the assessments of that county in the early part of the reign of Edward I., was probably the judge's father.[1]

The first mention of Lambert occurs in 27 Edward I., 1299, as the last of five justices itinerant into Kent. In the next year he was raised to the bench at Westminster as a justice of the Common Pleas; and the fines levied before him, commencing at the following Easter, 1301, continue till Midsummer, 1316, 9 Edward II.; showing that he had been re-appointed by that king. On August 6, in the latter year, he was removed to the King's Bench, where he remained exactly four years; retiring from that court on August 6, 1320, and being immediately made a baron of the Exchequer. We do not find him acting as a baron, nor summoned to parliament among the judges, later than the seventeenth year of that reign; and it is most probable that he left the bench about that time, as a new baron was named at the close of the year, apparently in his place. He still, however, was employed as a justice itinerant; and he is placed next to the chief justice in the commission into Northamptonshire as late as 1329, 3 Edward III.[2]

In 1317 he received the mastership of Sherbourn Hospital in Durham[3]; and in 1329, being then called parson of the church of Helpryngham in Lincolnshire, he granted some land in that parish and in Hale Parva for the support of a chaplain there.[4]

## WATH, MICHAEL DE.

M. R. 1334. ? KEEPER, 1339.

MICHAEL DE WATH was of a Yorkshire family; and is mentioned in 16 Edward II. 1322, as a surety for one of the

[1] Parl. Writs, i. 871., ii. 1324.
[2] Orig. Jurid. 44.; and Chron. Ser.; Rot. Parl. 161—380.
[3] Surtees's Durham, i. 138.
[4] Cal. Inquis. p. m., ii. 27.

adherents of the Earl of Lancaster.[1] He is then described as "Clericus;" and two years afterwards is named in a commission to assist the Archbishop of York in removing foreign priests in the East Riding of that county. In June, 1332, 6 Edward III., he was one of the tallagers there[2]; and though we do not find him so described, was probably a clerk in the Chancery, which was often held at York; for he received the appointment of master of the Rolls on January 20, 1334, on the death of Henry de Cliff; and was sworn in at the abbey of St. Mary at York, on the 9th of February following.[3]

He held this office little more than three years, surrendering it to John de St. Paul, on April 28, 1337.[4] It is remarkable, that during that time he never held the Great Seal as the substitute of the chancellor, as was then the custom with masters of the Rolls. But he was subsequently appointed to that duty in conjunction with two associates, at the end of the year 1339[5]; and several entries prove that he continued to act as one of the clerks of the Chancery in 1338 and 1340.[6]

In the latter year he was one of the sufferers on the king's angry return from France, and, with some of his brother-officers, was cast into prison for maladministration in his department. John de Stratford, Archbishop of Canterbury, remonstrating against his imprisonment as a clergyman, procured his release; but he does not again appear in connection with the Chancery, though he is named as one of the commissioners to inquire as to some complaints of the inhabitants of Frismerk, in Yorkshire, as late as 21 Edward III., 1347.[7]

[1] Parl. Writs, ii. P. ii. 212.
[2] N. Fœdera, ii. 574. 840.
[3] Rot. Claus. 8 Edw. III., m. 35.
[4] Ibid. 11 Edw. III., p. 1. m. 13.
[5] Ibid. 13 Edw. III., p. 3. m. 11.
[6] Rot. Parl. ii. 112.
[7] Angl. Sac. i. 20.; Barnes's Edward III., 212. 217.; Rot. Parl. ii. 187.

WELLS, DEAN OF. *See* R. DE BURY.

WESTMINSTER, ABBOT OF. *See* S. DE LANGHAM.

## WICHINGHAM, WILLIAM DE.

JUST. C. P. 1365.

WICHINGHAM, in Norfolk, was the seat of this family, and the William de Wichingham who was member of parliament for Norwich in the reign of Edward II. was most probably the father of the judge. The first mention of the latter as an advocate occurs in 21 Edward III. at the assizes, but not till seven years after in the court at Westminster; he having in the meantime been employed as a justice to fix the wages of labourers in his native county. His name appears as a justice of assize from 34 Edward III., and two years afterwards he was created a king's serjeant. His elevation to the bench as a justice of the Common Pleas took place on October 29, 1365, 39 Edward III.; and he continued to act in that court till the end of the reign. He was not, however, re-appointed on the accession of Richard II.; although he attended the first parliament of that king, and was named in it as a trier of petitions. Spelman calls him "clarissimus nominis illius jurisconsultus."[1]

## WILFORD, GERVASE DE.

B. E. 1341. CH. B. E. 1350.

THE manors of Clifton and Wilford, in Nottinghamshire, both belonged to one family, one branch of which used the name of Clifton, and the other that of Wilford. Gervase de Wilford was of the latter, and was made baron of the Exchequer on January 20, 1341, 14 Edward III. On the 17th of the following March, he was instituted to the living of

[1] Spelman's Icenia, 151.; Parl. Writs, ii. P. ii. 1610.; Rot. Parl. ii. 455. iii. 4.; Dugdale's Orig. 45.; and Chron. Ser.

Barnack in Northamptonshire; and in 18 Edward III. he assigned various lands in Norfolk to the prior and convent of Shouldham in the latter county.

He succeeded William de Shareshull as chief baron, on April 7, 1350, 24 Edward III., and presided in the court till the thirty-fifth year, 1361; when William de Skipwith superseded him. The entry on the Roll states that he was exonerated, being broken down by age. In 1359 he obtained the Bishop of Lincoln's license, "alere et fovere pueros sub virga magistri, in lectura, cantu, et grammatica facultate, ad augmentum cultus divini in sua parochia, et eosdem informare, clericis post pestem diminutis."[1]

## WILUGHBY, RICHARD DE.

Just. C. P. 1328. Just. K. B. 1330. Ch. K. B. 1332. Just. C. P. 1340.

The original surname of this family was Bugge, which was changed to Wilughby from their lordship of that name in Nottinghamshire. Richard de Wilughby, the father of the judge, purchased the manors of Wollaton in the same county, and Risley in Derbyshire; and dying in 18 Edward II., was succeeded by the subject of the present notice, who had in the preceding year been substituted for his father as the representative in parliament for his native county; and was about the same time appointed chief justice of the Common Pleas in Ireland.[2]

On the accession of Edward III. he was removed from this position; and it would appear that he resumed his practice at the English bar, as he is mentioned in the Year Book as an advocate in the first year. On March 6, 1328, in the second year, however, he was placed on the bench of the Common

[1] Thoresby's Thoroton's Notts. i. 105.; Ellis's Letters of eminent Literary Men, 325.; Cal. Inquis. p. m., ii. 119.; Cal. Rot. Pat. 138. 159. 174. 222.; Dugdale.

[2] Parl. Writs, ii. P. ii. 1616.; Cal. Rot. Pat. 78. 94. 97.

Pleas in England, and was further advanced on September 2, 1329, to be the second justice of that court. On December 15, 1330, he was removed into the Court of King's Bench; and when Geoffrey le Scrope, the chief justice, went abroad with the king, Wilughby occupied the chief seat during his absence. The first occasion was from March 28 to September 20, 1332, 6 Edward III.; and again on September 10, 1333; and several times afterwards, till Geoffrey le Scrope ultimately resigned in the middle of 1338. From this time there is no doubt that Wilughby presided in the court until he was displaced on July 24, 1340, 14 Edward III.; and on the 9th of October following he was restored to the Common Pleas.

Stephen Birchington says that he was one of the judges who were arrested by the king on his hasty return to England at the end of November, 1340, for some alleged misconduct[1]; and it is to be remarked that neither in the Book of Assizes, nor in the Rolls of Parliament, nor in any other document, does his name appear as a judge till the seventeenth year. He then certainly had a new patent[2], and from that date fines were levied before him till Trinity, 31 Edward III.[3]; when, as the Year Book does not record any of his judgments of a later date, we are inclined to think that he retired from the bench, though he lived for five years afterwards.

It is related of him that about Christmas, 1331, which was before he was chief justice, he was attacked on his way to Grantham by one Richard Fulville, and forcibly taken into a wood, where a gang of lawless men, large bodies of whom then infested the country, compelled him to pay a ransom for his life of ninety marks.[4] This violence, however disagreeable to its object, had the happy effect of causing measures to be taken to put a stop to these combinations.

[1] Angl. Sac. i. 21.
[2] Cal. Rot. Pat. 146.
[3] Dugdale's Orig. 45.
[4] Barnes's Edw. III., 62.

He died in 36 Edward III., possessed of extensive estates in the counties of Nottingham, Derby, and Lincoln, &c., besides a great house situate in "le Baly" in London.[1]

He married three wives; 1, Isabel, daughter of Sir Roger Mortein; 2, Joanna; and 3, Isabella; and had several children. Two of his descendants, Sir Henry Willoughby of Risley, and Sir William Willoughby of Selston, were created baronets, the former in 1611, and the latter in 1660; but both titles became extinct on their deaths without male issue. There was no other connection between this family and the noble house of Willoughby de Eresby than by intermarriage in the reign of Henry VIII.[2]

WINCHESTER, Bishops of. *See* J. de Stratford, W. de Edington, W. of Wykeham.

WODEHOUSE, ROBERT DE, Archdeacon of Richmond.

B. E. 1329.

*See* under the Reign of Edward II.

Sir Bertram de Wodehouse, a Norfolk knight of great possessions, the seventh in descent from Sir Constantine, who flourished in the reign of Henry I., is thus described in a rhyming pedigree of the family. He

> "Attended that brave king, Edward the First,
> Into the north, when he the Scots disperst,
> Slew twenty thousand, Edinborough shook,
> Dunbar and Barwick, where they homage took."

By his wife, Muriel, daughter and heir of Hamo, lord of Felton, he had three sons, the second of whom is the subject of this notice. The eldest, Sir William, was the ancestor of the present Baron Wodehouse of Kimberly, Norfolk, whose great-grandfather was ennobled on October 26, 1797; and the youngest, John, was steward of the household of

[1] Cal. Inquis. p. m., ii. 256.

[2] Thoroton's Notts. ii. 210.; Dugdale; Brydges' Collins' Peerage, vii. 216.

Richard de Bynteworth, Bishop of London, chancellor to Edward III., and was afterwards Chamberlain of Chester.[1]

Robert de Wodehouse being brought up to the church, became chaplain to Edward II., from whom he received the office of escheator, about the fourth year of his reign, which he held for the two following years, acting now on the south and now on the north of the Trent.[2] On July 24, 1318, 12 Edward II., he was constituted a baron of the Exchequer in the room of Ingelard de Warlee. He was summoned to parliament among the judges as late as November, 1322, 16 Edward II.; but as his name does not appear in the subsequent parliaments of that reign, nor in the first two years of that of Edward III., we are inclined to think that he then resigned or was removed; the more especially as we find that a new baron, William de Fulburn, was appointed on June 1, 1323. It was probably about this time that he became keeper of the king's wardrobe, an office which he held at the end of that reign, and at the commencement of the next.[3]

In the first year of Edward III. he was presented to the archdeaconry of Richmond, and admitted by proxy on September 24, 1328. On April 16, 1329, in the third year, he was replaced on the Exchequer bench as second baron; but again resigned his seat on the 16th of September, when he was made chancellor of the Exchequer, by which title he had a grant to him in the next year of the manor of Ashele with the bailiwick of the forest of Bere in Hampshire.[4] In 12 Edward III., March 10, 1339, he was promoted to the office of treasurer of the Exchequer, but seems only to have continued in it till the following December.

He probably died in January, 1345, 19 Edward III., as

[1] Blomefield's Norfolk, i. 751. [2] Abbrev. Rot. Orig., i. 174—194.
[3] Rot. Parl. ii. 388.; Issue Roll, Michas. 1 Edw. III.
[4] Abbrev. Rot. Orig. ii. 43. 127.

his will was proved on the 3rd of the following February, wherein he ordered his body to be buried in the choir of the Augustine monks at Stamford.[1]

## WODESTOKE, JAMES DE.

Just. C. P. 1340.

James de Wodestoke wore the judicial ermine for a very short period; his patent, as a judge of the Common Pleas, being dated on February 4, 1340, 14 Edward III., and his death occurring either at the end of that or the beginning of the next year. From the eighth year of that reign his name occurs in several commissions for the trial of offences, gradually rising from the lowest to the highest step in them. His place of birth may be presumed from his name, and from his being employed in 9 Edward III. to raise money for the king in Oxfordshire. At his death he was in possession of the manor of Brunes Norton, in that county, and of that of Holshute, in Hampshire, and Appleton, in Berkshire, in which he was a commissioner of array in 13 Edward III.[2]

## WOLLORE, DAVID DE.

M. R. ? 1345.

The town of Wollore, in Northumberland, gave its name to David de Wollore, of whom little is known before he became master of the Rolls. The only previous notice we have met with, is that he was sent to attend the parliament which King Edward Balliol summoned in Scotland in 8 Edward III., that his mission occupied eighteen days, and that he was allowed three shillings a day for his expences.[3] There is no evidence to show that he was a clerk in the

[1] Dugdale; Le Neve, 325.

[2] Dugdale's Orig. 45.; Cal. Inquis. p. m., ii. 99.; Rot. Parl. ii. 78. 449.; Abbrev. Rot. Orig. ii. 99.; N. Fœdera, ii. 911. 1070.

[3] N. Fœdera, ii. 875. 897.

Chancery, nor does the date of his appointment as master of the Rolls appear. He is first mentioned in that office on July 2, 1346, 20 Edward III.[1]; but we are inclined to think that he had then filled it nearly a year; because his predecessor, John de Thoresby, is never described with the title after he was constituted keeper of the Privy Seal, which took place before July 26, 1345; and it is extremely improbable that there should have been so long a vacancy in a place of such importance.

On November 27, 1344, the king, by writ of Privy Seal[2], granted to him the custody of the messuage in St. Dunstan's, Fleet Street, called "Hospicium de Clyfford," belonging to Robert de Clyfford, who had died in the preceding year, until the heir attained his majority. In this document he is called only "clericus noster," and it would seem to have been granted before he was master of the Rolls; but even if he had received the appointment, the official rank was not uncommonly omitted in private beneficial grants similar to this. Two instances occur of records with regard to Wollore himself, when he was undoubtedly master of the Rolls, in which he is not so called.[3]

He continued in that office about five-and-twenty years, during which time he frequently had the custody of the Great Seal: on the death of John de Offord, from May 28, to June 16, 1349; and during the absence of John de Thoresby, from September 2, to October 8, 1351; and in August, 1353; two or three of the clerks in Chancery being joined with him in the trust.[4] He was receiver of petitions in the parliaments from 36 to 43 Edward III.[5]

[1] N. Fœdera, iii. 85.

[2] Rot. Pat. 19 Edw. III., p. 2. m. 3. Mr. Thomas Duffus Hardy most obligingly furnished me with a copy of this from the records in the Tower.

[3] Abbrev. Rot. Orig. ii. 284.; N. Fœdera, iii. 266.

[4] Rot. Claus. 23 Edw. III., p. 1. m. 8. 10.; 25 Edw. III., m. 12.; 27 Edw. III. m. 6.

[5] Rot. Parl. ii. 268—299.

In his clerical character he was a canon of St. Paul's, London, and rector of Bishop's Wearmouth, in Durham; his successor in which was inducted in 1370, the year of his death.[1]

WYKEHAM, WILLIAM OF, DEAN OF ST. MARTIN'S, LONDON; ARCHDEACON OF NORTHAMPTON, LINCOLN, AND BUCKINGHAM; BISHOP OF WINCHESTER.

CHANCELLOR, 1367.

*See* under the Reign of Richard II.

YORK, ARCHBISHOPS OF. *See* W. DE MELTON; J. DE THORESBY.

## ZOUCHE DE HARINGWORTH, WILLIAM DE.

JUST. ITIN. 1330.

THREE eminent individuals, named William de Zouche, flourished about this time; one being of Ashby, and the other two of Haringworth. Of the two latter, one held the barony, and the other was of the clerical profession, prominently employed in the service of the second and third Edwards; and raised to the office of treasurer by the latter. He was Archdeacon of Exeter in 1330, Dean of York in 1336, Archbishop of York in 1342, and died in 1352. There are two reasons which decide us in considering that the justice itinerant into Derbyshire in 4 Edward III., 1330, was the baron and not the priest. Had it been the latter he would probably have been described by his clerical title and dignity; and the only other commission of justices itinerant issued during that year was headed, as we conceive this to have been, by a nobleman.

If this be the case, William de Zouche was the grandson of Alan de Zouche, the justicier in the reign of Henry III.,

[1] Surtees's Durham, i. 231.

through his younger son Eudo; an account of whose successors was given in the last volume (p. 529.).

The manor of Haringworth, in Northamptonshire, with other extensive property, came into William's possession at the death of his mother, Milicent, one of the sisters and coheirs of George de Cantelupe, Baron of Bergavenny, in 27 Edward I. Under Edward II. he distinguished himself as an adherent of the Earl of Lancaster, and ultimately assisted in the deposition of that unfortunate monarch.

He married Maude, the daughter of John Lord Lovel of Tichmersh, by whom he had a son named Eudo, whom he survived; and, after serving Edward III. in his foreign wars for nearly twenty-six years, he died on March 12, 1352, and was succeeded in his honours by his grandson William, the son of Eudo.[1]

[1] Parl. Writs, ii. 1650.; Dugdale's Baron. i. 69., Chron. Series.

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END OF THE THIRD VOLUME.

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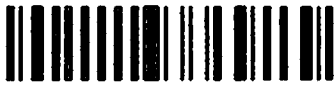
SPOTTISWOODES AND SHAW,
New-street-Square.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